



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

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Board of Supervisors
ED M. PRUDHON, *Chair*
STEVEN A. RUZEK
SCOTT E. MCCUNE

AGENDA TOWN BOARD MEETING JUNE 15, 2020

1. **7:00 p.m.** Call Meeting to Order at Heritage Hall, 4200 Otter Lake Road.
2. Approval of Agenda (Additions/Deletions).
3. Approval of Payment of Bills.
4. Approval of Minutes of June 1, 2020 (Additions/Deletions).
5. **Consent Agenda:**
 - A. **Park Board Recommendations:**
 1. **Little Library @ Eagle Park** - Approve a License Agreement for Construction of a Little Library @ Eagle Park by Justin & Elizabeth Bradshaw.
 2. **Bellaire Beach Shoreline Stabilization** – Approve Agreement with Ramsey County for Planning, Design, Management & Construction Services not to Exceed \$2,000.16.
 - B. **EDAB Recommendations:**
 1. **Stable Property:**
 - i. Approve Town Attorney's Filing of the Declaration of Use Easement.
 - ii. Recommend Preparation of a Feasibility Report.
 - C. **Public Safety Commission Recommendations** – Request Ramsey County Sheriff's Department Placement of Speed Boards at the Following Locations (Exact Locations to be Determined at Time of Placement):
 1. North Portland Avenue
 2. West Bald Eagle Boulevard
 3. White Bear Parkway
 - D. **League of Minnesota Cities Liability Coverage** – Approve Waiver of Liability From.

White Bear Township's Mission:

To provide White Bear Township residents, businesses and visitors with reliable, high quality municipal services while serving as open and responsible stewards of the public trust.



recycled paper

- E. **Ramsey-Washington Suburban Cable Commission 2019 Financial Report** – Receive & Accept Report.
- F. **Roseville Metro I-Net Member Meeting Information** – Receive Information & Refer to June Executive Meeting for Board Discussion.
- G. **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve XcelEnergy Permit to Relocate a Gas Service Located at 1770 Stillwater Street Which Will Eliminate the Existing Service Along Stillwater Street & Install a New Service Along Dillon Street.
- H. **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve XcelEnergy Permit to Perform Directional Drilling New Underground Cable Located at 1707 Pioneer Lane.
- I. **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve CenturyLink Permit to Perform System Improvements to the Area of the Township’s SE Area Street Project.
- J. **Construction Activity Report** – Receive.

6. **Old Business:**

- A. **Ordinance No. 69 (Tobacco):**
 - 1. Adopt the Amendments to Ordinance No. 69.
 - 2. Approve Synopsis of Ordinance.
 - 3. Adopt the Resolution Authorizing Publication of the Title & Summary of the Amendments.
- B. **Emergency Management Team Report:**
 - 1. Ramsey County COVID-19 Incident Management.
 - 2. Contract Group Update.
 - 3. Attorney Update.
 - 4. Operations Logistics/Administrative Offices.

7. **Public Hearings:**

- A. **Conditional Use Permit Request @ Tamarack Nature Center, 5287 Otter Lake Road** – Call Public Hearing for Monday, June 15, 2020 @ 7:00 p.m. to Consider a Conditional Use Permit Request to Allow Parking Lot, Site, & Building Improvements.

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- B. **Right-of-Way Setback Variance Request @ 2317 Hoxie** – Consider Granting a 25’ Right-of-Way Setback Variance to Allow Construction of a Garage.
- C. **Right-of-Way Setback Variance Request @ 2731 Stillwater Street** – Consider Granting a 35’ Right-of-Way Setback Variance to Allow Construction of a Shed & a Fence & a License Agreement.

8. **New Business:**

Town Planner Item:

- A. **Water Gremlin, 4400 Otter Lake Road** – Request for a Permitted Use Standards Permit to Allow Construction of a 12’ x 15’ Vapor Mitigation Structure.

Town Engineer Items:

- B. **Leibel Street Stormwater Improvement Project:**
 - 1. Authorize Preparation of Plans & Specifications.
 - 2. Authorize Advertisement for Bids.
- C. **Improvement 2020-5 - Otter Ridge Circle:**
 - 1. Receive Report.
 - 2. Call Neighborhood Meeting.
 - 3. Call Public Hearing for Road Improvement.
- D. **Stable Property** – Order Preparation of a Feasibility Report.

General Business:

- E. **Request to Use Motorized Golf Cart on Township Streets** – Gerald & Kathy Ridlehoover, 5816 Red Pine Boulevard.

- 9. **Open Time.**
- 10. **Added Agenda Items.**
- 11. **Receipt of Agenda Materials & Supplements.**
- 12. **Adjournment.**

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**Town Board Meeting
June 15, 2020**

Agenda Number: 1 - 2 - 3 - 4

Subject: Call to Order – 7:00 p.m.
Heritage Hall
4200 Otter Lake Road

Approval of June 15, 2020 Agenda
Approval of Payment of Bills
Approval of Minutes of June 1, 2020

Documentation: June 15, 2020 Agenda
June 1, 2020 Minutes

Action / Motion for Consideration:

Call meeting to order:	7:00 p.m.
Approval of Agenda:	June 15, 2020 (additions/deletions)
Approval of Payment of Bills	
Approval of Minutes:	June 1, 2020 Meeting

**MINUTES
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JUNE 1, 2020**

The meeting was called to order at 7:00 p.m.

Present: Supervisors: Prudhon, Ruzek, McCune; Clerk-Treasurer: Christopherson;
Attorney: Lemmons; Town Engineer: Poppler

APPROVAL OF AGENDA (Additions/Deletions): Ruzek moved to approve the agenda as submitted with the supplemental information for 8B.1) Peterson Road Improvement; and added agenda item 10A) Stable Property and 10B) Ratifying previous weekend curfews. McCune seconded. Ayes all.

APPROVAL OF PAYMENT OF BILLS: Ruzek moved to approve payment of bills. McCune seconded.

APPROVAL OF MINUTES OF MAY 18, 2020 (Additions/Deletions): Ruzek moved to approve the minutes of May 18, 2020 noting that the few corrections noted previously have been made. McCune seconded. Ayes all.

CONSENT AGENDA: McCune moved to approve the consent agenda as follows: 5A) Revise South Shore Trinity Lutheran Church Outdoor Worship Schedule to Reflect Weekly Services – In accordance with the Township's Special Events Policy, grant non-exclusive use of Bellaire Beach to South Shore Trinity Lutheran Church, 2480 South Shore Boulevard to hold outdoor worship services, weather permitting & provided the Stay-at-Home Order is lifted on June 7, 14, 21, & 28, July 5, 12, 19, 26, & August 2, 9, 16, 23, & 30 beginning at 9:45 a.m. for two hours per service & to allow use of electricity from the Township's lifeguard building to power the south system, noting the church will adhere to any safety/social distancing guidelines that are in place during this time; 5B) Fourth Quarter 2019 Financial Report – Receive; 5C) First Quarter 2020 Financial Report – Receive; 5D) Ordinance No. 69 (Tobacco) Amendment – Rescind action to call public hearing for June 15, 2020 to adopt amendment-hearing not required; 5E) Right-of-Way Permit – Based on Town Engineer review & recommendation & including his recommended conditions, approve CenturyLink permit to directional drill a new service line to 4503 Allendale Drive including along the north side of Meadowlands Drive; Right-of-Way Permit – Based on Town Engineer review & recommendation & including his recommended conditions, approve XcelEnergy permit to replace an overhead service line with underground service located at 2641 South Shore Boulevard; Right-of-Way Permit – Based on Town Engineer review & recommendation & including his recommended conditions, approve Comcast permit to install by directional drilling an underground cable along Red Pine Boulevard & 120th Street to service the existing golf course. Ruzek seconded. Ayes all.

ORDINANCE NO. 92 – 1) RESCIND ACTION TO CALL PUBLIC HEARING – 2) ADOPT ORDINANCE: The Town Attorney reported that he has reviewed the ordinance in regards to the regulation of non-essential water usage upon critical water deficiency. Basically, it gives the Township wording of emergency ordinances if the Governor ever calls for a water emergency: prohibits certain sprinkling, washing car, etc. The Town Clerk enforces it. It is similar to the summer sprinkling bans during dry years. This way, if the ordinance is in place, then the Town doesn't have to ratify an action retroactively.

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Ruzek made the motion to rescind May 18, 2020 Town Board action to call a public hearing for Monday, June 15, 2020. McCune seconded. Ayes all.

Ruzek made the motion to adopt Ordinance No. 92 which regulates non-essential water usage upon critical water deficiency as determined by the Governor. McCune seconded. Ayes all.

EMERGENCY MANAGEMENT TEAM REPORT:

1. Ramsey County COVID-19 Incident Management: The Town Clerk reported that at the most Ramsey County meeting, the COVID-19 discussion was secondary to the riots and protests in Minneapolis and Saint Paul and civil safety discussion.

2. Contract Group Update: The Contract Group did not meet. / There are no updates.

3. Attorney Update: The Town Attorney noted that nothing has changed since the Governor has reopened municipalities and Town committees can meet in-person.

4. Operations Logistics/Administrative Offices/Public Works – Rescind Resolution Declaring Civil Emergency: The Town Clerk reported that the Town opened to the public on Monday, June 1st. He reported that there was very light traffic and that social distancing landmarks are placed throughout the Administrative Offices. The day went pretty well. There was discussion on what rescinding would do: it would be one step closer to normal, it would affect remote meetings due to the open-meeting law. There was some discussion on commissions, like Public Safety and Utility. There was some discussion on meeting at Heritage Hall on nights when the City of Gem Lake isn't using the facility. The Town would clean up after each meeting. It was noted that 1 member (the Town Clerk) could be present at the offices and all member can call in to the meeting, if they don't feel comfortable meeting. But the Board would prefer in-person meetings begin as soon as possible, because in-person meetings will have to happen sometime. There was some discussion on Zoom meetings. Staff will coordinate meetings accordingly, and in-person cases, social distancing precautions will be followed.

McCune moved to rescind resolution declaring civil emergency originally passed March 16, 2020. Ruzek seconded. Ayes all.

Ruzek made the motion to keep the emergency management team in place to review again in 30 days for rescission. McCune seconded. Ayes all.

ASH TREE STUMP REMOVALS – 1) RECEIVE QUOTES – 2) AWARD QUOTE: The Town Clerk answered any questions the Board had. The memo outlined that Town staff has removed 82 Ash trees over the winter and is looking to have a company grind the stumps. Two companies gave a quote. White Bear Lawn and Snow is the low quote at \$9,845.00, and the second quote is SavaTree for \$12,275.00. It was noted that the Town will wait to approve the contract once proper insurance is documented.

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Based on staff review & recommendation Ruzek moved to receive quotes from White Bear Lawn and Snow; SavaTree. McCune seconded. Ayes all.

Based on staff review & recommendation Ruzek moved to approve quote from White Bear Lawn and Snow in the amount of \$9,845.00 for stump removal noting funding from the Parks and Road and Bridge budgets, pending insurance information holding the Township harmless. McCune seconded. Ayes all.

The Town Clerk inserted an added agenda item for 10C) Discussion regarding Republic Services and Township Clean-up Day.

McCune moved to amend the agenda to include item 10C) Discussion of Republic and Township Clean-up Day. Ruzek seconded. Ayes all.

PETERSON ROAD – RECEIVE FEASIBILITY REPORT – CALL NEIGHBORHOOD MEETING:

The Town Engineer summarized that the Board has been talking about this agenda item for several months. The goal is to capitalize on the favorable interest rates for bonding during this time. The Town Engineer went through the feasibility report chapter by chapter. First he gave a brief overview of the introduction, the background of Peterson Road, the existing conditions within Peterson Road, the proposed improvements, the assessment policy and assessment amounts, funding source table, the proposed schedule, conclusion and recommendations.

At previous meetings the Board had decided on the 28-foot wide road with the proposed dimensions listed in the report, stopping just past Mehegan Road (Exhibit J). He explained the street layout, the cost estimate, the assessment role of each street improvements, water, and sanitary sewer. The map shows properties of assessment, while the geo technical shows the exact soil limits.

When it comes to funding, table 1 in the feasibility report lays out cost estimates for each category. The Town has to assess at least 20% and currently the assessments given are at 29%, figuring in the “worst case scenario” for residents. Of the 15 assessable units for street improvements, only some could be assessed 1 side front in calculations based on appraisal values. So 6 units are unassessable. The street improvements for those 9 units are calculated assessable at \$15,000; The sanitary sewer improvements for the 7 units are calculated assessable at \$12,500 (noting 1 unit deferred); The water improvements for the 8 units are calculated assessable at \$12,500. It was noted that the streets will be assessed on a 10 year plan, and 15 years for water and sewer. Interest is determined at the bond sale.

According to the schedule it would be most favorable to accept the feasibility report at this meeting, and schedule a neighborhood meeting in 1.5 to 2 weeks, and the public hearing for the first meeting in July. There was some discussion over the schedule and the feasibility report as presented thus far. The assessments for all three will run around \$40,000. The Board decided to go forward because rates are not going to get much better. It was noted that there is a dead end water source at Providence Lane for the townhomes that can be looped in the

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project. It also promotes water clarity fed from multiple directions. It can connect the water loop from Mehegan Lane. It was noted to the Board, that because Chair Prudhon lives on Peterson Road, he will be abstaining from the voting process: both Supervisors will have to vote in favor for the project to pass through to completion (future meetings).

Based on staff review & recommendation Ruzek moved to adopt resolution receiving report for a Street & Utility Improvement for Peterson Road. McCune seconded. Ayes: Ruzek, McCune; Abstention: Prudhon.

Based on staff review & recommendation Ruzek moved to call a neighborhood meeting as soon as practical for the properties on Peterson Road including the neighbors to the east. McCune seconded. Ayes: Ruzek, McCune; Abstention: Prudhon.

Based on staff review and recommendation Ruzek motioned to call a public hearing for the Peterson Road project for Monday, July 6th. McCune seconded. Ayes: Ruzek, McCune; Abstention: Prudhon.

STABLE PROPERTY – SALE PROCESS: The Town Clerk reported that at the last meeting the goal was to get 5685 Portland Avenue out for bid. The Town Attorney is drafting language for the bidding process. The Board has received recommendation from the EDAB to accept the preliminary plat, which the Board had previously tabled once the public hearing was closed. The declaration of easement has been set. There was some brief discussion.

Ruzek moved to accept the preliminary plat for 5685 Portland Avenue Stable Property. McCune seconded. Ayes all.

There was some discussion of the bid process: where, when, timing. The Town Attorney has noted the bid time together to be included in the language for process. It was noted that the bid will open at 10 am, 60 days out from the issued date. Then, any bids will have purchase agreements and the Board can either accept, modify, or reject. The next deadline for the *White Bear Press* is June 10th. Staff will run the bid opening in the *White Bear Press*, trade journal, website, Facebook, League of Minnesota Cities, and any other cites that may have not been noted.

The bid deadline will be on August 12th at 10:00 a.m. at the Administrative Offices, and the bids will be presented to the Town Board for approval or rejection at the August 17th Town Board meeting. The bid process will be run in the *White Bear Press* on June 10th and 17th.

Ruzek made the motion to accept the language that was presented for the agenda item 6C titled "Town of White Bear request of office of purchase" as the acceptable language with the caveat to add the dates that this will be published in the paper (June 10 & June 17) and when the bids will be opened, etc. to the standards necessary. McCune seconded. Ayes all.

RATIFY MAY 30, 2020 ACTION OF TOWN TO DECLARE A TWO DAY CURFEW (MAY 30 & MAY 31) FROM 8:00 P.M. – 6:00 A.M. EACH DAY: The Town Clerk reported that based on the state's declaration, using ordinance 12 as an example, the Town Clerk issued a curfew

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similar to the curfews set by the Governor and the Mayor of Minneapolis and Saint Paul. This is the retroactive ratification of that executive decision. It was noted that if it is needed in the future the emergency management team can make those decisions. Then the Board will ratify based on circumstances.

Ruzek moved to ratify My 30, 2020 action of Town to declare a two-day curfew (May 30 & May 31) from 8:00 p.m. – 6:00 a.m. each of those days. McCune seconded. Ayes all.

REPUBLIC SERVICES & TOWNSHIP CLEAN-UP DAY – DISCUSSION: The Town Clerk reported that the Utility Commission special meeting met to discuss this agenda item and the Board should be updated as well. There will be 2 different parking locations for Township Clean-up Day; 2 forms of identification (driver's license and sewer/water bill will be required). Originally it was understood that Republic staff would monitor the IDs and ensure residences, but now their staff does not want to do that due to COVID. Logistically the Town Clerk noted he should do it, but it makes him uncomfortable for staff to be put in harm's way. The only other options are postpone it (but can't do that much due to Ramsey County's street improvements on County Road H2), cancel it, or go on with the event.

There was discussion of having access to posting signage stating the identification requirements and then note that each resident will simply have to stay in their vehicle and keep the windows rolled up, identification pressed to the glass. Then staff or volunteers will be cross referencing with directory.

Staff, Republic, and Supervisor Ruzek will be in communication to talk the details through. There were some further discussion of the sheriff's department and other public safety officials in attendance.

ADDED AGENDA ITEMS: There were no added agenda items.

RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS: McCune motioned to receive all Agenda Materials & Supplements for tonight's meeting. Ruzek seconded. Ayes all.

McCune moved to adjourn the meeting at 8:19 p.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

Patrick Christopherson
Recording Secretary

Approved as Official Meeting Minutes

Town Board Chair

Date



Town Board Meeting June 15, 2020

Agenda Number: 5.A-1 – Consent Agenda

Subject: Park Board Recommendations:

1. **Little Library @ Eagle Park** - Approve a License Agreement for Construction of a Little Library @ Eagle Park by Justin & Elizabeth Bradshaw.

Documentation: License Agreement

Action / Motion for Consideration:

Receive Information / Discuss

Based on Park Board Review & Recommendation Approve a License Agreement for Construction of a Little Library @ Eagle Park by Justin & Elizabeth Bradshaw

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Park Board Meeting
May 21, 2020

LITTLE FREE LIBRARY: Justin and Elizabeth Bradshaw were present to update the Park Board on the success of their Little Free Library they placed in Brandlwood Park in honor of their stillborn daughter Estelle in 2018. The Bradshaw's first came before the Park Board on April 19, 2018, gaining approval. From there, the Town Board approved the Bradshaw's request on May 7, 2018, and by June 25, 2018 the Little Free Library was built and installed in time for the ribbon cutting on June 28th of that year. Since then, the Bradshaw's have kept a close eye on the Estelle's Little Free Library, cleaning it, filling it with books they acquire, and have recently installed a digital counter to monitor activity. It is opened on average once per day: this could mean sometimes no books are removed, one book is removed, or more than one book is removed. They also have pamphlets available recognizing stillbirths, the books they place are labeled and contain a hashtag in which Elizabeth Bradshaw has used in the Library's Instagram account to generate and track activity.

Recently, the Bradshaw's acquired a similar Little Free Library on an online auction and would like to continue the legacy. Similar to Estelle's Little Free Library, which cost about \$3,000 of craftsmanship

quality, the Bradshaw's will maintain this library, whether in the same park or in another area of the Township. It was noted that Estelle's Little Free Library is the highest quality, technologically advanced, and the owners are dedicated to keep it well stocked and cleaned. This is not the case everywhere. The ideal location for this Little Free Library, according to the Bradshaw's, is Eagle Park. There was consensus on this location. It was noted that it's great the Bradshaw's turned their loss into such a positive impact.

Koster moved to recommend to the Town Board to approve a new agreement for another Little Free Library for the Bradshaw's. Sinclair seconded. Ayes all.

LICENSE AGREEMENT

This Agreement is made this ____ day of June, 2020 by and between the Town of White Bear, a subdivision of the State of Minnesota (Licensor) and Justin and Elizabeth Bradshaw, (Licensee).

Whereas, the Licensor is the fee owner of the following described real property, known as Eagle Park, situated in the Town of White Bear, County of Ramsey, State of Minnesota and legally described as follows, to-wit:

Vacated English Street accruing and following Lots 44 through 50 and Lots 1 through 7, all in Block 1, Eagle Park, Ramsey County, Minnesota

Whereas, the Licensee is requesting permission to construct and maintain a book exchange kiosk at Eagle Park; and

Whereas, the Licensor is willing to permit the Licensee to construct such book exchange kiosk, subject to the Licensee taking full responsibility for construction, future maintenance/repair, and liability for the book kiosk.

Now, Therefore, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the Licensor hereby grants unto the Licensee approval to construct a book exchange kiosk in Eagle Park, subject to the following:

I. CONSTRUCTION

The Licensee is responsible for the construction of the book exchange kiosk.

II. LICENSEE RESPONSIBILITIES AND INDEMNIFICATION

The Licensee shall be responsible for:

- 1) All costs of maintenance, repair, and/or replacement of the book exchange kiosk, and by the Licensee executing this Agreement, hereby accepts said responsibility.
- 2) Policing of the park for debris resulting from the book exchange.
- 3) The Licensee further agrees to release, indemnify, hold harmless and defend Licensor from and against any and all claims, costs, causes of action, expenses

and liabilities, including, but not limited to, reasonable attorney's fees arising out of or connected with Licensee's use of the property.

III. GRANT OF LICENSE ONLY AND NON-ASSIGNMENT

Licensee acknowledges that this Agreement represents a grant of a license only and not an easement or lease. Licensee shall not assign its rights under this Agreement.

IV. TERMINATION

It is understood by the Licensee that the Licensor retains the right to terminate this license at any time and for any reason.

In Witness Whereof, the Licensor and Licensee have executed this License Agreement as of the date heretofore set out.

TOWN OF WHITE BEAR

ED M. PRUDHON, Chair

JUSTIN BRADSHAW

ELIZABETH BRADSHAW



**Town Board Meeting
June 15, 2020**

Agenda Number: 5.A-2 – Consent Agenda

Subject: Park Board Recommendations:

2. **Bellaire Beach Shoreline Stabilization – Approve Agreement with Ramsey County for Planning, Design, Management & Construction Services not to Exceed \$2,016.**

Documentation: Agreement

Action / Motion for Consideration:

Receive Information / Discuss

Based on Park Board Review & Recommendation Approve the Agreement with Ramsey County for Planning, Design, Management & Construction Services not to Exceed \$2,016

**Minutes
Park Board Meeting
May 21, 2020**

BELLAIRE BEACH – UPDATE: The Town Planner reported on the Bellaire Beach project at the current stage in the Master Plan. Ramsey County has a shoreline restoration plan that will cost about \$35,000. The Township is eligible for \$14,000 in grant money, and this item was budgeted for in 2020 upgrades. The Township can also hire Ramsey County staff for \$2,000 to oversee and complete the project. There was some discussion on other items in Bellaire Beach Park: the parking lot will cost about \$60,000, which has been held over; the Saputo shelter is on the docket for late 2020; there was some discussion on the playground area, though nothing is under consideration yet, staff is just planning ahead for the future.

Josephson motioned to recommend approval to the Town Board for the approval of the shoreline improvement project for Bellaire Beach, including an additional \$2,000 for Ramsey County staff to spearhead the project, and for all the work to be accomplished according to page 45 of the packet. Koster seconded. Ayes all.

**Agreement Between White Bear Township
and Ramsey County, a Political Subdivision of the
State of Minnesota, on behalf of its Parks & Recreation
Department – Soil & Water Conservation Division to Plan,
Design & Manage Construction of a Shoreline Stabilization
Project at Bellaire Beach**

Parties: This letter of agreement will set forth the work to be provided by Ramsey County, a political subdivision of the State of Minnesota, on behalf of its Parks & Recreation department – Soil & Water Conservation Division (Ramsey County SWCD) to White Bear Township (WBT) to deliver engineering services and technical assistance to enhance implementation of the State Cost Share program and other similar programs with a primary focus on installing conservation practices that improve water quality and reduce flooding.

Term of Contract: The effective date of the agreement is from June 16, 2020 to June 16, 2021.

Scope of Services: Work to be performed by the Ramsey County SWCD include the following tasks:

- a. Pre-project planning and feasibility investigations and/or determinations;
- b. Preliminary cost estimate review and/or development;
- c. Project design review and/or assistance and/or certification;
- d. Construction assistance and/or as-built certification; and
- e. Other miscellaneous services related to an in support of items a through d, above, such as client communications and preparation of reports or memos.

Cost and Payments: Costs for services for these activities shall not exceed \$2,016. Services will be provided by the Ramsey County SWCD Design staff. Invoices will be sent on a quarterly basis and will list specifically the work performed. Invoices are payable by the WBT within 60 days. Office supplies, normal office reproduction expenses, and transportation are included in the hourly rate. Other expenses are to be reimbursed at actual cost.

Relationship: This agreement in no way shall constitute, nor be construed in such a way to create an employment relationship between the Ramsey County SWCD and the WBT. Ramsey County SWCD staff shall not be entitled to any rights, privileges, or benefits of employees of the WBT.

Indemnification & Insurance: White Bear Township will defend and indemnify and hold harmless the Ramsey County Soil and Water Conservation Division, its Board members and employees against any and all liability, loss, costs, damages and expenses, including attorney's fees, which the Ramsey County SWCD its board members or employees may hereafter sustain, incur, or be required to pay arising out of the Ramsey County SWCD

performance or failure to adequately perform its obligations pursuant to this agreement. Likewise, the Ramsey County SWCD agrees that it will defend, indemnify and hold harmless the WBT, its board members and employees against any and all liability, loss, costs, damages and expenses, including attorneys' fees, which Ramsey County SWCD its board members or employees may hereafter sustain, incur, or be required to pay arising out of the actions of the WBT. The parties acknowledge and agree that any exposure to liability of the Ramsey County SWCD or the WBT, or the acts or omissions of their respective officers, agents, board members or employees will not exceed the limits provided for or governed by Minn. Stat. Section 466.

Equal Employment Opportunity – Civil Rights: During the performance of this Agreement, the Ramsey County SWCD agrees to the following: No person shall, on the grounds of race, color, religion, age, sex, disability, marital status, public assistance, criminal record, creed or national origin, be excluded from full employment rights in, be denied the benefits of, or be otherwise subjected to discrimination under any program, service, or activity under the provisions of and all applicable federal and state laws against discrimination including the Civil Rights Act of 1964.

Records: Under Minn. Stat. Section 16C.05, Ramsey County SWCD's books, records, documents and accounting procedures and practices relevant to this agreement are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate for a minimum of six years from the end of this agreement.

Data Privacy: All data collected, created, received, maintained or disseminated, or used for any purpose in the course of the Ramsey County SWCD's performance of the Agreement is governed by the Minnesota Government Data Practices Act, Minnesota 1984, Section 13.01, et seq. Or any other applicable state statutes and state rules adopted to implement the Act, as well as state statutes and federal regulations on data privacy. The Ramsey County SWCD agrees to abide by these statute, rules and regulations and as they may be amended.

Termination: Either the Ramsey County SWCD or WBT may terminate this Agreement with our without cause by giving the other party thirty (30)d days written notice prior to the effective date of such termination.

IN WITNESS WHEREOF, the Ramsey County SWCD and WBT have duly executed this Agreement as of the date and year referenced herein.

Ann White Eagle
District Manager, Ramsey Cty SWCD

Ed M. Prudhon
Town Board Chair

Dated: _____, 2020.

Date: _____, 2020.



**Town Board Meeting
June 15, 2020**

Agenda Number: 5.B – Consent Agenda

Subject: EDAB Recommendations:

1. **Stable Property:**
 - i. Approve Town Attorney's Filing of the Declaration of Use Easement
 - ii. Recommend Preparation of a Feasibility Report

Documentation: Declaration of Use Easement

Action / Motion for Consideration:

Receive Information / Discuss

Based on EDAB Review & Recommendation:

- i. Approve the Town Attorney's Filing of the Declaration of Use Easement.
- ii. Recommend Preparation of a Feasibility Report

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EDAB Meeting
June 9, 2020

STABLE PROPERTY – BID UPDATE – UPDATED DECLARATION OF EASEMENT – FEASIBILITY REPORT PROCESS: **Bid Update:** The Town Clerk reported that the EDA/Town Board approved the request for the property to go out for bid. The posting is in the *White Bear Press* for June 10th, and the following week. The bid is open for 60 days, closing August 12th, 2020 at 10 a.m. at the Town Offices. It was noted that the Town has engineer surveys available in the form of a purchase agreement if an applicant is interested and reaches out to staff.

Updated Declaration of Easement: The Town Attorney reported that the Declaration of Use Easement has been completed and takes about 1 day to file. This information will be included

in the purchase agreement staff gives to applicants. The Use Easement restricts the use of the land to 8 single family homes.

Artner made the motion to recommend to the EDA that the Town Board Chair and Town Clerk execute the Use Easement. Brunner seconded. Ayes all.

Feasibility Report Process: The Town Engineers have been working on engineering for this plot of land for the past few years. All that is left is for a formal report including surveys and all previous work in a feasibility report. It was noted that the cost of the feasibility report will be reported at the EDA meeting.

Artner motioned to recommend to the EDA to recommend authorization for an updated feasibility report on the Stable Property. Brunner seconded. Ayes all.

DECLARATION OF USE EASEMENT

This Declaration is made this ____ day of June, 2020 by Town of White Bear, a Minnesota political subdivision, hereinafter referred to as Declarant.

WITNESSETH:

WHEREAS, Declarant is the fee owner of the following described real property situated in the County of Ramsey, State of Minnesota legally described as follows to wit:

See attached Exhibit A

hereinafter referred to as (“Property”);

WHEREAS, lying northwesterly of the Property is an operational airport known as Benson Airport. Due to the orientation of the runway of Benson Airport, the flight pattern of planes taking off from or landing at the Airport results in planes flying directly over the Property;

WHEREAS, in the interest of public safety the Declarant has adopted an Airport Safety Zone as set forth and described in its Zoning Ordinance. The Airport safety zone guides the development of the Property and limits the number of dwellings which can be located on the Property; and

WHEREAS, after due consideration the Declarant has prepared a development plan for the Property which provides for eight single family homes sites. Attached hereto as Exhibit B is a true and correct copy of the proposed plat of the Property which the Declarant has approved.

NOW, THEREFORE, the Declarant hereby declares that use of the Property shall be governed by the terms of this Declaration. That use of the Lots described on Exhibit C attached hereto shall be limited to the construction and occupation of one single family home per Lot.

The Declarant hereby retains and reserves, on behalf of itself, an easement to control the use of all that part of the Property lying outside the boundaries of the Lots shown on Exhibit C. The plat attached hereto shall not be amended, vacated nor shall any Lot shown on Exhibit C be further subdivided unless said amendment, vacation or subdivision is approved by the Declarant.

This easement is perpetual. No amendment to its terms and conditions shall be permitted unless agreed to by the Declarant.

This Declaration may only be amended by a written instrument executed by the Declarant at its sole discretion. Any amendment will only be effective after it has been reduced to writing and said writing has been executed by the Declarant.

The plat attached hereto as Exhibit B shall not be re-platted or vacated unless said replat or vacation is approved by the Declarant, at its sole discretion, in writing.

TOWN OF WHITE BEAR

BY: _____
Its: Board Chairman

BY: _____
Its: Clerk

State of Minnesota)
)ss
County of _____)

This instrument was acknowledged before me on this _____ day of June, 2020 by Ed Prudhon, Town Board Chairman and Patrick Christopherson, Town Clerk have executed this document on behalf of the Town of White Bear, a Minnesota political subdivision.

Notary Public

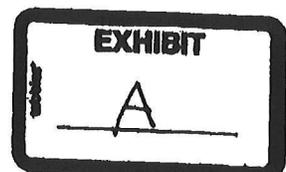
THIS INSTRUMENT WAS DRAFTED BY:
KELLY AND LEMMONS, P.A.
2350 Wycliff Street; Suite 200
St. Paul, MN 55114
Telephone: 651-224-3781
Facsimile: 651-223-8019

1. Parcel 1:

That part of the North Half of the Southeast Quarter of Section 1, Township 30 North, Range 22 West described as follows: Commencing at the intersection of the center line of Portland Avenue with the South line of the said North half; thence, Westerly along the South line 250 feet to a point; thence North parallel to and 250 feet Westerly from said center line of Portland Avenue 233 feet to the point of beginning; thence continuing on the same line produced Northerly 420 feet, more or less, to a line that is parallel to and 660 feet Southerly from the Northerly line of said Southeast Quarter; thence Westerly 210 feet along said 660 foot line to a point; thence South 420 feet, more or less, to a point that is 210 feet Westerly from the point of beginning; thence Easterly on a line that is parallel to and 233 feet Northerly from the said Southerly line 210 feet to the point of beginning; also the Northerly 60 feet of the Southerly 540 feet lying between the Easterly line of above described parcel and the center line of said Portland Avenue.

Parcel 2:

All that part of the North Half of the Southeast Quarter of Section 1, Township 30, Range 22 West, Ramsey County, described as follows: Commencing at the intersection of the centerline of Portland Avenue with the South line of the said North Half of the Southeast Quarter; thence, West along said South line 250 feet to the point of beginning; thence North parallel to center line of Portland Avenue 233 feet to a point; thence West parallel to said South line, 210 feet to a point; thence North parallel to said Portland Avenue centerline and produced 420 feet, more or less, to an intersection with a line that is 660 feet South of and parallel to the North line of said Southeast Quarter; thence along said parallel line West to the West line of said Southeast Quarter; thence South along said West line to the Southwest corner of said North Half; thence East to the point of beginning.





**Town Board Meeting
June 15, 2020**

Agenda Number: 5.C – Consent Agenda

Subject: Public Safety Commission Recommendations –

1. North Portland Avenue – Request Placement of Speed Board by the Sheriff’s Department
2. West Bald Eagle Boulevard – Petition Ramsey County to Re-position Current Digital Speed Sign ½ Mile North on West Bald Eagle Boulevard
3. White Bear Parkway – Request a Speed Evaluation by a Ramsey County Deputy on White Bear Parkway South of Highway 96

Documentation: None

Action / Motion for Consideration:

Receive Information / Discuss

Public Safety Commission Recommendations –

1. North Portland Avenue – Request Placement of Speed Board by the Sheriff’s Department
2. West Bald Eagle Boulevard – Petition Ramsey County to Re-position Current Digital Speed Sign ½ Mile North on West Bald Eagle Boulevard
3. White Bear Parkway – Request a Speed Evaluation by a Ramsey County Deputy on White Bear Parkway South of Highway 96

**Minutes
Public Safety Commission Meeting
June 4, 2020**

NORTH PORTLAND AVENUE SPEED ISSUES: The Town Clerk received notification in the beginning of May that a resident informed the Township about a speeding issue on Portland Avenue

where the speed limit changes to 35 mph right before the curve. The resident would like the Public Safety Commission to consider recommending the Town Board ask Ramsey County for a lower speed limit. The Commission discussed perhaps flashing sign that shows speed. A couple of the members frequent Portland Avenue and gave their input. There was some discussion of the flashing sign, and it was noted that the Township may not be able to do anything about it since it is a County road. The Board had asked previously, but the County had come back with engineering of how the speed is accurate, speed numbers, traffic counts, etc. But the Commission decided it would be worth a try.

Linn motioned to recommend the Town Board to ask Ramsey County to consider putting up digital speed signs on Portland. Brueckner seconded. Ayes all.

SPEEDING ON WHITE BEAR PARKWAY: The Town Clerk reported that he had received an email regarding a speed issue on White Bear Parkway north of 96. It was determined during the meeting discussion that that area is considered White Bear Lake's jurisdiction. Staff will be in contact with the resident.

SPEED ISSUE ON WEST BALD EAGLE BOULEVARD: The Town Clerk reported that another report of speeding has come about on West Bald Eagle Boulevard. There was some discussion of the street and the potential location of the speeding incidents. It was noted that there were 2 flashing speed signs around this area. There was discussion on how this should be handled. The Town Clerk will be in contact with the resident and ask for additional information. The members suggested having Ramsey County Sheriff's Department patrol there during those times.



**Town Board Meeting
June 15, 2020**

Agenda Number: 5.D – Consent Agenda

Subject: League of Minnesota Cities Liability Coverage – Approve Waiver of Liability Form

Documentation: Finance Officer Memo w/ attachment

Action / Motion for Consideration:

Receive Information / Discuss

Based on Finance Officer Review & Recommendation Approve the Selection of DOES NOT WAIVE the monetary limits on the Municipal Tort Liability

**Minutes
Town Board Meeting
July 1, 2020**

CONSENT AGENDA: McCune moved to approve 5C) League of Minnesota Cities Liability Coverage – Approve Waiver of Liability form. Ruzek seconded. Ayes all.

MEMORANDUM

Date: June 9, 2020
To: Town Board
From: Tom Kelly, Finance Officer
Re: LMCIT Liability Coverage – Waiver Form

The Town is currently in the renewal process of its property and liability insurance package with the League of Minnesota Cities Insurance Trust (LMCIT). As part of this renewal process the Town must decide if it wishes to waive or not waive the statutory tort limits.

If the Town DOES NOT WAIVE the monetary limits on municipal tort liability then an individual claimant could not recover more than \$500,000 and the total which all claimants could recover would be limited to \$1,500,000. These limits would be on only those claims which the statutory tort limits apply.

If the Town WAIVES the monetary limits it would then be subject to up to \$2,000,000 on an individual claimant but the total for all claimants would still be limited to \$2,000,000 regardless of the number of claimant.

The Town currently carries \$2,000,000 in liability coverage from the LMCIT. The Town does not currently purchase excess liability insurance at this time.

Staff recommends Town Board approval to select DOES NOT WAIVE the monetary limits on municipal tort liability as established by Minnesota Statutes 466.04 on the renewal application with the LMCIT.

LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to pstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name:

White Bear Township

Check one:



The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.



The member **WAIVES** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: 6/15/20

Signature: Thomas Kelly

Digitally signed by Thomas Kelly
Date: 2020.06.09 12:33:12 -0500

Position: Finance Officer



**Town Board Meeting
June 15, 2020**

Agenda Number: 5.E – Consent Agenda

**Subject: Ramsey-Washington Suburban Cable Commission 2019
Financial Report – Receive & Accept Report**

Documentation: Finance Officer Report w/attachment

Action / Motion for Consideration:

Receive Information / Discuss

Based on Finance Officer Review & Recommendation Receive & Accept
the Ramsey-Washington Suburban Cable Commission's 2019 Annual
Finance Report

Minutes
Town Board Meeting
June 3, 2019

CONSENT AGENDA: McCune moved to approve 5D) Ramsey-Washington Suburban Cable Commission 2018 Financial Report – Based on Finance Officer review & recommendation receive & accept the Ramsey-Washington Suburban Cable Commission's 2018 Annual Financial Report. Ruzek seconded. Ayes all.

MEMORANDUM

Date: June 5, 2020
To: Town Board
From: Tom Kelly, Finance Officer
Re: Ramsey-Washington Suburban Cable Commission 2019 Financial Report.

The Town has received the 2019 Annual Financial Report and Management Letter for the Ramsey-Washington Suburban Cable Commission. I have reviewed these documents and found nothing of significance to report. Revenue and Expenditure are reasonable and comparable to last year. Revenues exceed expenditures by \$133,421, compared to losses the last three years. 2019 actual revenues were below budgeted revenues by \$26,221, with franchise fees below budget by \$40,950 but investment income (interest) exceeded budget by \$64,787. Expenditures exceeded budgeted expenditures by \$597,689. Expenses related to the franchise renewal were \$98,712 over budget and benefits were \$83,216 over budget. In addition, a \$920,230 redistribution payment to cities was not included in the budget but paid out. The Commission's net position increased \$197,912 in 2019 to \$3,719,342; however, cash decreased \$408,369 to \$4,956,525.

The auditors did find one material weakness in performing the audit. The commission is missing internal controls for preparing the audited financial report. This means the commission does not have staff who understands the financial reporting requirements to complete or review the audited financial statements for errors and is dependent on the auditors, who cannot review their own work. To eliminate this finding the commission needs to either hire a finance director or contract with someone who has the expertise.

I would recommend receiving and accepting the Ramsey-Washington Suburban Cable Commission's 2019 Annual Financial Report. Copy of the full report is available in distribution file.



Honorable Members and Management
Ramsey/Washington Counties Suburban Cable
Communications Commission II
White Bear Lake, Minnesota

In planning and performing our audit of the financial statements of the governmental activities and each major fund of the Ramsey/Washington Counties Suburban Cable Communications Commission II (the Commission) as of and for the year ended December 31, 2019, in accordance with auditing standards generally accepted in the United States of America, we considered the Commission's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control. Accordingly, we do not express an opinion on the effectiveness of the Commission's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as discussed below, we identified a certain deficiency in internal control that we consider to be a material weakness.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Commission's financial statements will not be prevented, or detected and corrected, on a timely basis.

Material weakness

We consider the following deficiency in the Commission's internal controls to be a material weakness:

- **Oversight of Financial Reporting System**

Management is responsible for establishing and maintaining internal controls, including monitoring, and for the fair presentation in the financial statements and related disclosures, in conformity with accounting principles generally accepted in the United States of America. During our audit, we noted that the internal control system does not include a process for preparing the annual audited financial statements and the related disclosures in accordance with accounting principles generally accepted in the United States of America. The potential exists that a material disclosure could be omitted and not be detected and corrected by management. As such, management engaged CliftonLarsonAllen (CLA) to assist in preparing a draft of the audited financial statements, including the related footnote disclosures. However, as independent auditors, CLA cannot be considered part of the Commission's internal control system. As part of its internal control over the preparation of the financial statements, including disclosures, the Commission has implemented a comprehensive review procedure to ensure that the financial statements, including disclosures, are complete and accurate. The outsourcing of these services is not unusual in organizations of your size and is a result of management's cost benefit decision to use our accounting expertise rather than incurring this internal resource cost.

* * *

Honorable Members and Management
Ramsey/Washington Counties Suburban Cable
Communications Commission II
Page 2

This communication is intended solely for the information and use of management, Commissioners, and others within the Commission, and is not intended to be, and should not be, used by anyone other than these specified parties.

CliftonLarsonAllen LLP

CliftonLarsonAllen LLP

Minneapolis, Minnesota
April 30, 2020



Honorable Members
Ramsey/Washington Counties Suburban
Cable Communications Commission II
White Bear Lake, Minnesota

We have audited the financial statements of the governmental activities and each major fund of the Ramsey/Washington Counties Suburban Cable Communications Commission II (the Commission) as of and for the year ended December 31, 2019, and have issued our report thereon dated April 30, 2020. We have previously communicated to you information about our responsibilities under auditing standards generally accepted in the United States of America, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information related to our audit.

Significant audit findings

Qualitative aspects of accounting practices

Accounting policies

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Commission are described in Note 1 to the financial statements.

No new accounting policies were adopted and the application of existing policies was not changed during 2019.

We noted no transactions entered into by the Commission during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

- Management's estimate of the useful lives of depreciable assets is based on past experience. We evaluated the key factors and assumptions used to develop the useful lives of depreciable assets in determining that it is reasonable in relation to the financial statements taken as a whole.
- Management's estimate of the Commission's proportionate share of PERA's Net Pension Liability is based on guidance from GASB Statement No. 68, GASB, and the plan's allocation table. The plan's allocation table allocates a portion of the plan's net pension liability based on the Commission's contributions during the plan's fiscal year as a percentage of total contributions received for the related fiscal year by the plan.

Qualitative aspects of accounting practices (continued)

Accounting estimates (continued)

- Management's estimate of compensated absences is based on Commission policy, employee wage rate and accumulated vacation and sick leave balances. We evaluated the key factors and assumptions used to develop the estimate of accrued compensated absences in determining that it is reasonable in relation to the financial statements taken as a whole.

Financial statement disclosures

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. There were no particularly sensitive financial statement disclosures.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties encountered in performing the audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Uncorrected misstatements

Professional standards require us to accumulate all misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management did not identify and we did not notify them of any uncorrected financial statement misstatements.

Corrected misstatements

None of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditors' report. No such disagreements arose during our audit.

Management representations

We have requested certain representations from management that are included in the management representation letter dated April 30, 2020.

Management consultations with other independent accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Commission's financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Significant issues discussed with management prior to engagement

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to engagement as the Commission's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our engagement.

Other audit findings or issues

We have provided a separate letter to you dated April 30, 2020, communicating internal control related matters identified during the audit.

Other information in documents containing audited financial statements

With respect to the required supplementary information (RSI) accompanying the financial statements, we made certain inquiries of management about the methods of preparing the RSI, including whether the RSI has been measured and presented in accordance with prescribed guidelines, whether the methods of measurement and preparation have been changed from the prior period and the reasons for any such changes, and whether there were any significant assumptions or interpretations underlying the measurement or presentation of the RSI. We compared the RSI for consistency with management's responses to the foregoing inquiries, the basic financial statements, and other knowledge obtained during the audit of the basic financial statements. Because these limited procedures do not provide sufficient evidence, we did not express an opinion or provide any assurance on the RSI.

With respect to the individual fund financials (collectively, the supplementary information) accompanying the financial statements, on which we were engaged to report in relation to the financial statements as a whole, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period or the reasons for such changes, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves. We have issued our report thereon dated April 30, 2020.

Our auditors' opinion, the audited financial statements, and the notes to financial statements should only be used in their entirety. Inclusion of the audited financial statements in a document you prepare, such as an annual report, should be done only with our prior approval and review of the document.

* * *

This communication is intended solely for the information and use of the Commissioners and management of the Commission, and is not intended to be, and should not be, used by anyone other than these specified parties.



CliftonLarsonAllen LLP

Minneapolis, Minnesota
April 30, 2020

**RAMSEY/WASHINGTON COUNTIES SUBURBAN CABLE
COMMUNICATIONS COMMISSION II
BALANCE SHEET – GOVERNMENTAL FUNDS
DECEMBER 31, 2019
(WITH SUMMARIZED FINANCIAL INFORMATION FOR YEAR ENDED DECEMBER 31, 2018)**

	General Fund	Equipment and Capital Improvement Fund	Total Governmental Funds	
ASSETS			2019	2018
ASSETS				
Cash and Investments	\$ 3,334,582	\$ 1,621,943	\$ 4,956,525	\$ 5,364,894
Franchise Fees Receivable	289,192	-	289,192	330,618
Due from Other Funds	-	164	164	-
Total Assets	\$ 3,623,774	\$ 1,622,107	\$ 5,245,881	\$ 5,695,512
LIABILITIES AND FUND BALANCE				
LIABILITIES				
Accounts Payable	\$ 61,544	\$ -	\$ 61,544	\$ 34,084
Settlement Payable	-	-	-	345,632
Due to Other Governments	869,157	-	869,157	1,089,178
Due to Other Funds	164	-	164	-
Salaries Payable	60,424	-	60,424	105,447
Total Liabilities	991,289	-	991,289	1,574,341
FUND BALANCE				
Restricted for:				
Municipal Grant Program	-	746,539	746,539	876,359
Equipment and Other Capital Needs	-	875,568	875,568	875,980
Unrestricted:				
Assigned for:				
Franchise Renewal	176,476	-	176,476	250,000
Building Improvements	47,066	-	47,066	100,000
Vacation/Severance Pay	74,000	-	74,000	87,000
Telecom/Regulatory	35,000	-	35,000	35,000
Unemployment	38,000	-	38,000	38,000
Unassigned	2,261,943	-	2,261,943	1,858,832
Total Fund Balance	2,632,485	1,622,107	4,254,592	4,121,171
Total Liabilities and Fund Balance	\$ 3,623,774	\$ 1,622,107	\$ 5,245,881	\$ 5,695,512
Fund Balance Reported Above			\$ 4,254,592	\$ 4,121,171
Amounts Reported for Governmental Activities in the Statement of Net Position is Different because:				
Capital Assets Used in Governmental Activities are not Financial Resources and, Therefore, are Not Reported in the Funds			288,062	317,904
Long-Term Liabilities, including Compensated Absences Liability are Not Due and Payable in the Current Period and, Therefore, are Not Reported in the Funds.			(73,733)	(86,578)
The Commission's Net Pension Liability and Related Deferred Inflows and Outflows are Recorded only on the Statement of Net Position. Balances at year-end are:				
Net Pension Liability			(558,406)	(610,235)
Deferred Inflows of Resources - Pensions			(232,655)	(322,106)
Deferred Outflows of Resources - Pensions			41,482	101,274
Net Position of Governmental Activities			\$ 3,719,342	\$ 3,521,430

See accompanying Notes to Financial Statements.

**RAMSEY/WASHINGTON COUNTIES SUBURBAN CABLE
COMMUNICATIONS COMMISSION II
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND
BALANCE – GOVERNMENTAL FUNDS
YEAR ENDED DECEMBER 31, 2019
(WITH SUMMARIZED FINANCIAL INFORMATION FOR YEAR ENDED DECEMBER 31, 2018)**

	General Fund	Equipment and Capital	Total Governmental Funds	
		Improvement Fund	2019	2018
REVENUES				
Franchise Fees	\$ 1,308,574	\$ -	\$ 1,308,574	\$ 1,333,177
Equipment Grant	-	29,668	29,668	29,668
Operating Grant	1,290,396	-	1,290,396	1,267,604
Investment Income	64,787	34,160	98,947	85,989
Miscellaneous/Refunds and Reimbursements	3,206	959	4,165	3,937
Total Revenues	<u>2,666,963</u>	<u>64,787</u>	<u>2,731,750</u>	<u>2,720,375</u>
EXPENDITURES				
Current:				
Administration	555,777	1,321	557,098	683,843
SCC	927,303	12,889	940,192	821,545
Municipal Equipment	-	129,820	129,820	178,934
Redistribution Payment to Cities	920,230	-	920,230	1,103,559
Capital Outlay:				
SCC	-	50,989	50,989	130,054
Total Expenditures	<u>2,403,310</u>	<u>195,019</u>	<u>2,598,329</u>	<u>2,917,935</u>
NET CHANGE IN FUND BALANCE	263,653	(130,232)	133,421	(197,560)
Fund Balance - January 1	<u>2,368,832</u>	<u>1,752,339</u>	<u>4,121,171</u>	<u>4,318,731</u>
FUND BALANCE - DECEMBER 31	<u>\$ 2,632,485</u>	<u>\$ 1,622,107</u>	<u>\$ 4,254,592</u>	<u>\$ 4,121,171</u>

See accompanying Notes to Financial Statements.

**RAMSEY/WASHINGTON COUNTIES SUBURBAN CABLE
COMMUNICATIONS COMMISSION II
BUDGETARY COMPARISON SCHEDULE – GENERAL FUND
YEAR ENDED DECEMBER 31, 2019
(WITH SUMMARIZED FINANCIAL INFORMATION FOR YEAR ENDED DECEMBER 31, 2018)**

	Budgeted Amounts		2019 Actual Amounts	Variance with Final Budget	2018 Actual Amounts
	Original	Final		Positive (Negative)	
REVENUES					
Franchise Fees	\$ 1,349,524	\$ 1,349,524	\$ 1,308,574	\$ (40,950)	\$ 1,333,177
Operating Grant	1,343,660	1,343,660	1,290,396	(53,264)	1,267,604
Investment Income	-	-	64,787	64,787	55,642
Miscellaneous/Refunds and Reimbursements	-	-	3,206	3,206	3,937
Total Revenues	2,693,184	2,693,184	2,666,963	(26,221)	2,660,360
EXPENDITURES					
Administration:					
Administrative Salaries	239,465	239,465	221,729	(17,736)	188,870
Administration Benefits	31,218	31,218	62,475	31,257	94,085
Travel and Training	-	-	1,495	1,495	1,442
Cable Service	22,701	22,701	21,009	(1,692)	23,740
Audit	18,334	18,334	18,334	-	18,084
Legal Fees - General	18,750	18,750	15,981	(2,769)	12,728
Legal Fees - Franchise Renewal	-	-	63,041	63,041	22,781
Legal Fees - Litigation	-	-	5,467	5,467	217,797
Vadnais Heights	-	-	9,975	9,975	-
North St. Paul	-	-	1,550	1,550	-
Outside Services	7,500	7,500	8,432	932	4,893
Telephone	7,668	7,668	7,236	(432)	5,920
Supplies	8,500	8,500	3,643	(4,857)	3,680
Postage	3,500	3,500	1,883	(1,617)	1,957
Cleaning	10,000	10,000	7,644	(2,356)	7,644
Meeting Expense	2,300	2,300	1,543	(757)	1,491
Franchise Renewal Expenses	-	-	35,671	35,671	11,919
Conference Fees and Travel	2,625	2,625	15	(2,610)	2,811
Miscellaneous	150	150	10,011	9,861	104
Dues/Subscriptions	5,750	5,750	4,979	(771)	3,874
Mileage	-	-	-	-	28
Production and Crew Supplies	-	-	-	-	209
Employee Recognition/Events	1,000	1,000	639	(361)	508
Rent	11,250	11,250	10,766	(484)	10,766
Utilities and Building Operation	11,250	11,250	8,891	(2,359)	9,498
Insurance	15,000	15,000	12,656	(2,344)	9,319
Reimbursement to Municipalities	45,000	45,000	20,712	(24,288)	29,695
Total Administration	461,961	461,961	555,777	93,816	683,843

**RAMSEY/WASHINGTON COUNTIES SUBURBAN CABLE
COMMUNICATIONS COMMISSION II
BUDGETARY COMPARISON SCHEDULE – GENERAL FUND (CONTINUED)
YEAR ENDED DECEMBER 31, 2019
(WITH SUMMARIZED FINANCIAL INFORMATION FOR THE YEAR ENDED DECEMBER 31, 2018)**

EXPENDITURES (CONTINUED)	Budgeted Amounts		2019 Actual Amounts	Variance with Final Budget	2018 Actual Amounts
	Original	Final		Positive (Negative)	
SCC:					
SCC Salaries	\$ 714,613	\$ 714,613	\$ 552,206	\$ (162,407)	\$ 504,648
SCC Benefits	124,872	124,872	176,831	51,959	174,539
Staff/Board Training and Travel	3,400	3,400	2,021	(1,379)	837
Outside Services	13,141	13,141	15,975	2,834	8,735
Office Supplies	-	-	31	31	-
Internet and Security	19,000	19,000	15,557	(3,443)	2,662
Videotape Stock	1,700	1,700	1,331	(369)	-
Equipment Maintenance and Repair	20,000	20,000	13,499	(6,501)	8,029
Cell Telephone	3,420	3,420	6,271	2,851	3,617
Van Fuel	4,500	4,500	1,705	(2,795)	1,998
Vehicle Maintenance	5,000	5,000	7,405	2,405	13,562
Dues and Subscriptions	2,175	2,175	1,965	(210)	1,979
Newsletter	5,000	5,000	-	(5,000)	-
Printing and Promotion	7,500	7,500	1,911	(5,589)	1,180
Awards Entry Fees	3,100	3,100	-	(3,100)	375
Mileage	2,000	2,000	245	(1,755)	211
Studio Props and Materials	6,200	6,200	-	(6,200)	-
Production and Crew Supplies	7,200	7,200	7,850	650	5,444
Tools and Test Equipment	3,000	3,000	1,626	(1,374)	1,506
Facility maintenance	8,000	8,000	7,174	(826)	3,926
Rent	33,750	33,750	32,297	(1,453)	32,394
Utilities and Building Operations	18,750	18,750	17,397	(1,353)	16,731
Excel Energy	15,000	15,000	11,072	(3,928)	11,375
Facilities Improvements	322,339	322,339	52,934	(269,405)	10,289
Total SCC	<u>1,343,660</u>	<u>1,343,660</u>	<u>927,303</u>	<u>(416,357)</u>	<u>804,037</u>
Joint:					
Redistribution Payment to Cities	-	-	920,230	920,230	1,103,559
Total Joint	<u>-</u>	<u>-</u>	<u>920,230</u>	<u>920,230</u>	<u>1,103,559</u>
Total Expenditures	<u>1,805,621</u>	<u>1,805,621</u>	<u>2,403,310</u>	<u>597,689</u>	<u>2,591,439</u>
NET CHANGE IN FUND BALANCE	<u>\$ 887,563</u>	<u>\$ 887,563</u>	263,653	\$ (623,910)	68,921
Fund Balance - January 1			<u>2,368,832</u>		<u>2,299,911</u>
FUND BALANCE - DECEMBER 31			<u>\$ 2,632,485</u>		<u>\$ 2,368,832</u>



**Town Board Meeting
June 15, 2020**

Agenda Number: 5.F – Consent Agenda

**Subject: Roseville Metro I-Net Member Meeting Information –
Receive Information & Refer to June Executive Meeting for
Board Discussion**

Documentation: Info to be Sent Via Drop Box Separately

Action / Motion for Consideration:

Receive Information / Discuss

Receive Information & Refer to June Executive Meeting for Board
Discussion



**Town Board Meeting
June 15, 2020**

Agenda Number: 5.G – Consent Agenda

Subject: Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve XcelEnergy Permit to Relocate a Gas Service Located at 1770 Stillwater Street Which Will Eliminate the Existing Service Along Stillwater Street & Install a New Service Along Dillon Street

Documentation: Town Engineer Correspondence / map

Action / Motion for Consideration:

Receive Information / Discuss

Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve XcelEnergy Permit to Relocate a Gas Service Located at 1770 Stillwater Street Which Will Eliminate the Existing Service Along Stillwater Street & Install a New Service Along Dillon Street



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

June 10, 2020

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: XcelEnergy Permit Application
1770 Stillwater Street
White Bear Township, Minnesota
TKDA Project No. 17727.000

Dear Board Members:

XcelEnergy has applied for a permit to relocate a gas service located at 1770 Stillwater Street. The project will eliminate the existing service along Stillwater Street and install a new service along Dillion Street. The attached map shows the project.

We recommend approval with the following conditions:

1. Contractor must protect resident driveway during installation.
2. Contractor must protect sewer and water services.
3. Disturbed areas shall be restored equal to or better than original condition.
4. If the relocation of these utilities becomes necessary in the future due to a public improvement, the utilities shall be relocated at no cost to the Township.
5. Call Gopher One-Call prior to any work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Studenski'.

Jim Studenski, PE
Town Engineer

Enclosures



June 1, 2020

APPLICATION OF THE XCEL ENERGY CO.

Township Engineer
White Bear Lake Township, MN
1281 Hammond Road
White Bear Lake Township, MN 55110
651-747-2750

Application is hereby made for permission to construct and therefore maintain: New 5/8" PE 60 PSI –natural gas service line from the 2" PE 60 PSI gas main located approximately 23' west of the center line on the west side of Dillon Street to provide gas service for a remodel @ the existing residential home @ 1770 Stillwater Street in the township right of way.

I. Type of Utility – NATURAL GAS

Installing a new natural gas 5/8" pe service line from the 2" pe gas main on W side of Dillon St, cross street is Stillwater Road.

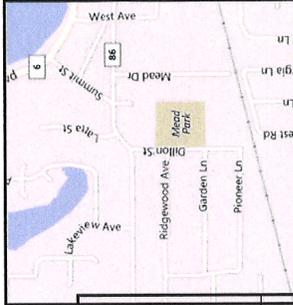
II Work to be started upon issuance of permits, and completed by October 31st, 2020.

Application approved:

Application submitted by:
XCEL ENERGY CO.

By: _____

Lisa Peltier
Xcel Energy Gas Designer
5363 260th Street N
Wyoming, MN 55092-9095
651-462-6203 Direct
651-462-6217 Fax



Work Order Information	
Service Request #	000009457705
Design Number	kmt02
Designer/Planner Name	Phillip Lisa
Designer/Planner Ph #	(000) 000-0000
Manager Approval	
Joint Utility	
E:	G:
T:	C:
Design Location	
Division	White Bear Lake
County	Ramsey
City	WHITE BEAR TWP
Address	
T: 30N	R: 22W
S: 10	Permit:
Map #:	S0999
Field/Phase	
Field:	Voltage:
Phase:	Blup Dev ID:
System	
System:	Pressure:
Size:	Material:
Dead End:	
Work Order #:	
Date:	05/22/2020
Sketch #:	Of # Sketch Data
Scale:	1" equals 50'

CONSTRUCTION USE ONLY

NO CHANGES (BUILT AS DESIGNED)

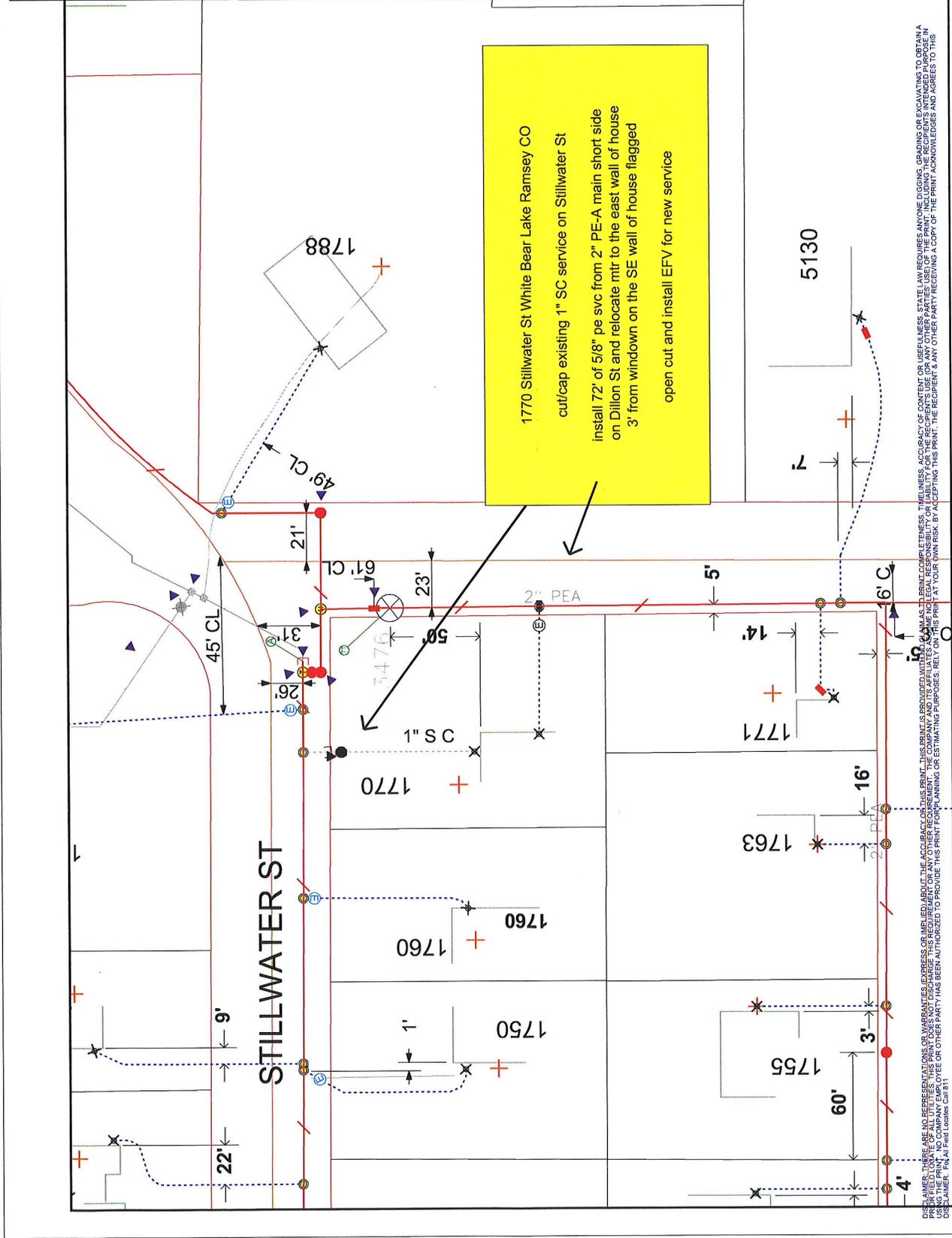
CHANGES MADE AS INDICATED (ALL UTD MUST HAVE ACTUAL MEASUREMENTS FROM THE FIELD SITE)

RFI: _____

FOREMAN: _____

DATE: _____

TEAM LEADER: _____



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**Town Board Meeting
June 15, 2020**

Agenda Number: 5.H – Consent Agenda

Subject: **Right-of-Way Permit** – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve XcelEnergy Permit to Perform Directional Drilling New Underground Cable Located at 1707 Pioneer Lane

Documentation: Town Engineer Correspondence / map

Action / Motion for Consideration:

Receive Information / Discuss

Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve XcelEnergy Permit to Perform Directional Drilling New Underground Cable Located at 1707 Pioneer Lane



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

June 11, 2020

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: XcelEnergy Permit Application
1707 Pioneer Lane
White Bear Township, Minnesota
TKDA Project No. 17727.000

Dear Board Members:

XcelEnergy has applied for a permit to perform directional drilling new underground cable located at 1707 Pioneer Lane. The attached map shows the project.

We recommend approval with the following conditions:

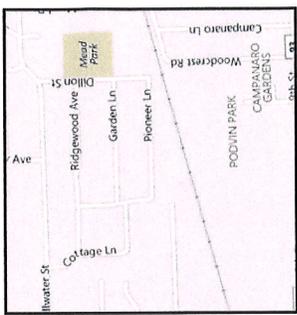
1. Contractor must protect resident driveway during installation.
2. Contractor must protect sewer and water services.
3. Contractor must protect storm sewer in the middle of the construction area.
4. Contractor must install the new line behind the hydrant and not between the hydrant and roadway at the east end of the construction area.
5. Disturbed areas shall be restored equal to or better than original condition.
6. If the relocation of these utilities becomes necessary in the future due to a public improvement, the utilities shall be relocated at no cost to the Township.
7. Call Gopher One-Call prior to any work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Studenski', written in a cursive style.

Jim Studenski, PE
Town Engineer

Enclosures



Work Order Information	
Service Request #	: 0000947032
Design Number	: 23149
Designer/Planner ID	: Barnett, Leslie
Designer/Planner Name	: Barnett, Leslie
Designer/Planner Ph #	: (816) 414-1149
Manager Approval	: _____
Joint Utility	: _____
E:	G:
T:	C:
Design Location	: White Bear Lake
Division	: Ramsey
County	: WHITE BEAR TWP
Address	: 1737 Pioneer Lane
T: 30N	R: 22W
Map #:	S: 10
Permit	: White Bear Lake
Feeder	: GJ074
Voltager	: 7.9
Phase	: A
Blup Dev ID	: _____
System	: _____
Pressure	: _____
Size	: _____
Material	: _____
Dead End	: _____
Work Order #:	: _____
Date:	06/05/2020
Sketch:	1 Of 1 Sketch Data
Scale:	1" equals 100'

Xcel Energy

CONSTRUCTION USE ONLY

NO CHANGES (BUILT AS DESIGNED)

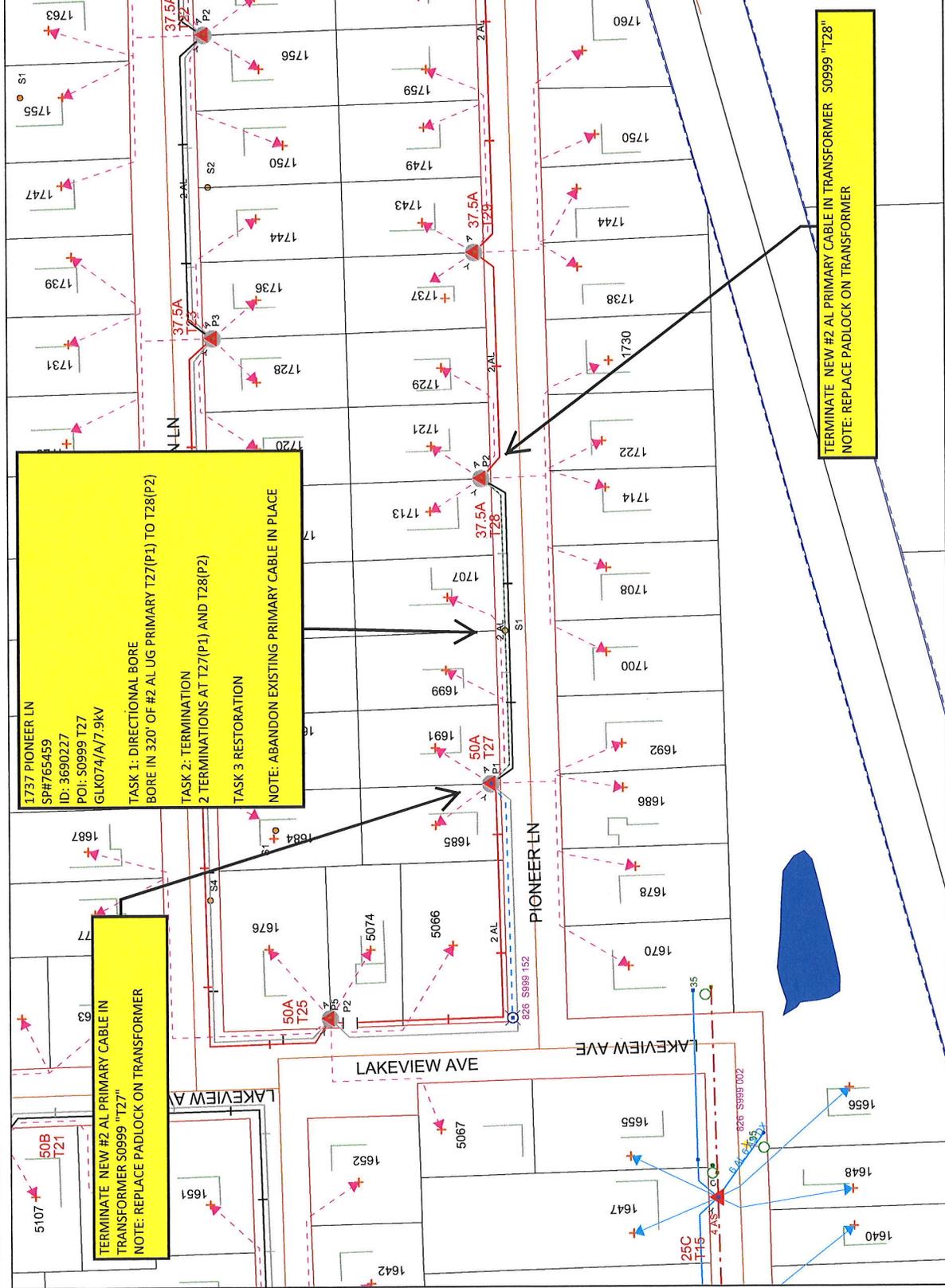
CHANGES MADE AS INDICATED

ALL UPD MUST HAVE ACTUAL MEASUREMENTS FROM THE FIELD SITE

RFO _____ DATE _____

FOREMAN _____

TEAM LEADER _____



1737 PIONEER LN
 SP#765459
 ID: 3690227
 POI: S0999 T27
 GLK074/A/7.9KV

TASK 1: DIRECTIONAL BORE
 BORE IN 320' OF #2 AL UG PRIMARY T27(P1) TO T28(P2)

TASK 2: TERMINATION
 2 TERMINATIONS AT T27(P1) AND T28(P2)

TASK 3 RESTORATION

NOTE: ABANDON EXISTING PRIMARY CABLE IN PLACE

TERMINATE NEW #2 AL PRIMARY CABLE IN TRANSFORMER S0999 "T27"
NOTE: REPLACE PADLOCK ON TRANSFORMER

TERMINATE NEW #2 AL PRIMARY CABLE IN TRANSFORMER S0999 "T28"
NOTE: REPLACE PADLOCK ON TRANSFORMER

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**Town Board Meeting
June 15, 2020**

Agenda Number: 5.1 – Consent Agenda

Subject: Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve CenturyLink Permit to Perform System Improvements to the Area of the Township’s SE Area Street Project

Documentation: Town Engineer Correspondence / map

Action / Motion for Consideration:

Receive Information / Discuss

Based on Town Engineer Review & Recommendation & Including His Recommended Conditions, Approve CenturyLink Permit to Perform System Improvements to the Area of the Township’s SE Area Street Project



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

June 11, 2020

Honorable Chairman and Town Board
White Bear Township, Minnesota

Re: CenturyLink Permit Application
SE Area Street Improvements
White Bear Township, Minnesota
TKDA Project No. 17727.000

Dear Board Members:

CenturyLink has applied for a permit to perform system improvements to the area of the Township's SE Area street project. The attached map shows the project.

We recommend approval with the following conditions:

1. Contractor must protect driveway during installation.
2. Contractor must protect sewer and water services.
3. Contractor must protect all roads during construction activity.
4. Contractor must coordinate activity with the Township's road project.
5. Disturbed areas shall be restored equal to or better than original condition.
6. If the relocation of these utilities becomes necessary in the future due to a public improvement, the utilities shall be relocated at no cost to the Township.
7. Call Gopher One-Call prior to any work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Studenski', written in a cursive style.

Jim Studenski, PE
Town Engineer

Enclosures

WHITE BEAR TOWNSHIP, MN - WASHINGTON COUNTY
STREET IMPROVEMENTS, STORM SEWER
 LOCATED ON MULTIPLE ROADS ALONG SOUTH SHORE BLVD IN SE WHITE BEAR

CENTURYLINK WORKPLAN

PROJECT N.721454 / CL20.81544

PLANS PREPARED FOR



CENTURYLINK ENGINEER:
 PHONE:
 EMAIL:
 CENTURYLINK CONSTRUCTION CONTACT:
 PHONE:
 FAX:
 EMAIL:
 WIRECENTER:

PLANS PREPARED BY



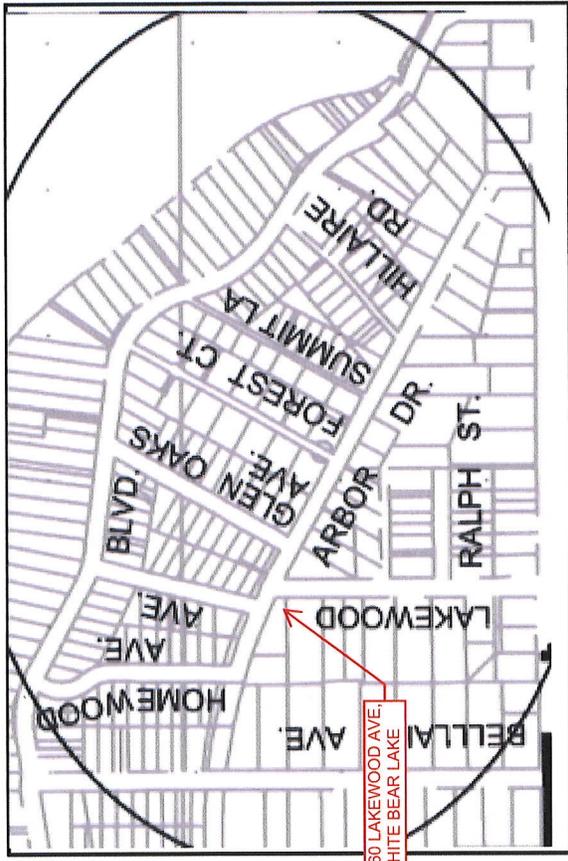
T.T. ENGINEER: Stephanie Hellequist
 PHONE: 651.252.4774
 EMAIL: shellequist@terratechllc.net

PROJECT CONTACT

OWNER:
 PHONE:
 EMAIL:
 PROJECT ENGINEER:
 PHONE:
 EMAIL:
 SURVEY/STAKING:
 PHONE:
 EMAIL:
 ROAD CONTRACTOR:
 PHONE:
 EMAIL:



ORDER SITE ONE CALL
 1-800-202-1100 OR
 1-651-454-0002
 WWW.GOPROFESSIONALCALLERS.COM



LOCATION MAP
 NOT TO SCALE

FOR REFERENCE ONLY

NOTE:
 CENTURYLINK FACILITIES ARE APPROXIMATE ONLY AND
 HAVE NOT BEEN POTHOLED. FOR REFERENCE ONLY.

PERMITS REQUIRED: YES NO

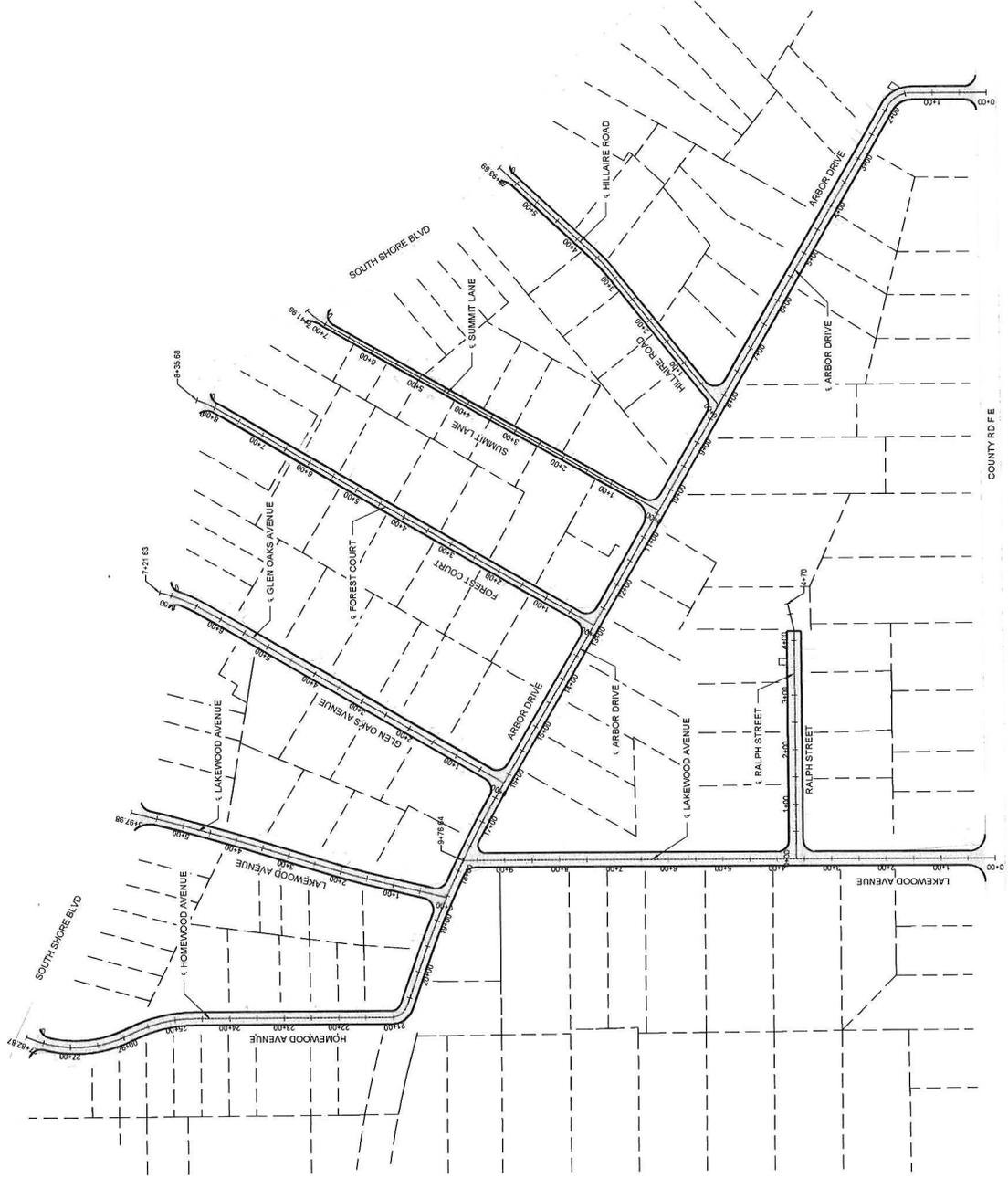
CITY:
 COUNTY:
 STATE:
 RAILROAD:
 PIPELINE:
 DNR:
 MISCELLANEOUS:

CUTS REQUIRED: YES NO
 FIBER OPTIC
 COPPER

MIGRATIONS REQUIRED: YES NO

PRECONSTRUCTION MEETING DATE:
 EXPECTED ROADWAY CONSTRUCTION START DATE:

REVISION	DATE



DRAFT 2/28/2020

PROJ. NO. 17127.011
DRAWING NO. 3

SITE LAYOUT

SE AREA STREET RECONSTRUCTION

444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com



PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA
NAME: JAMES E. BURDENSEL UC No. 33352

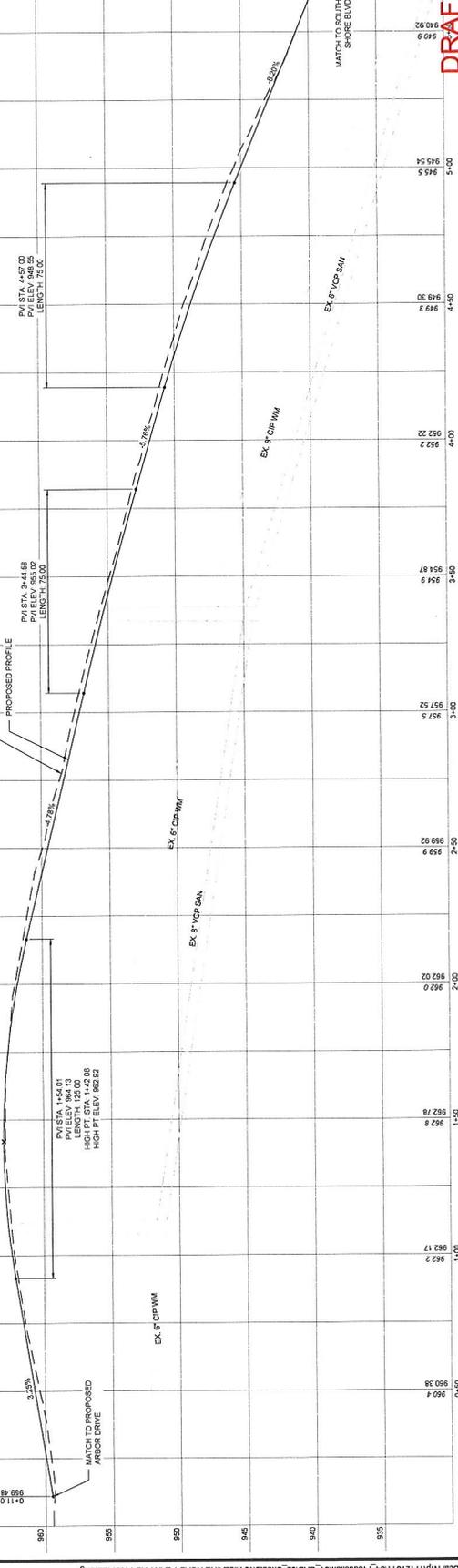
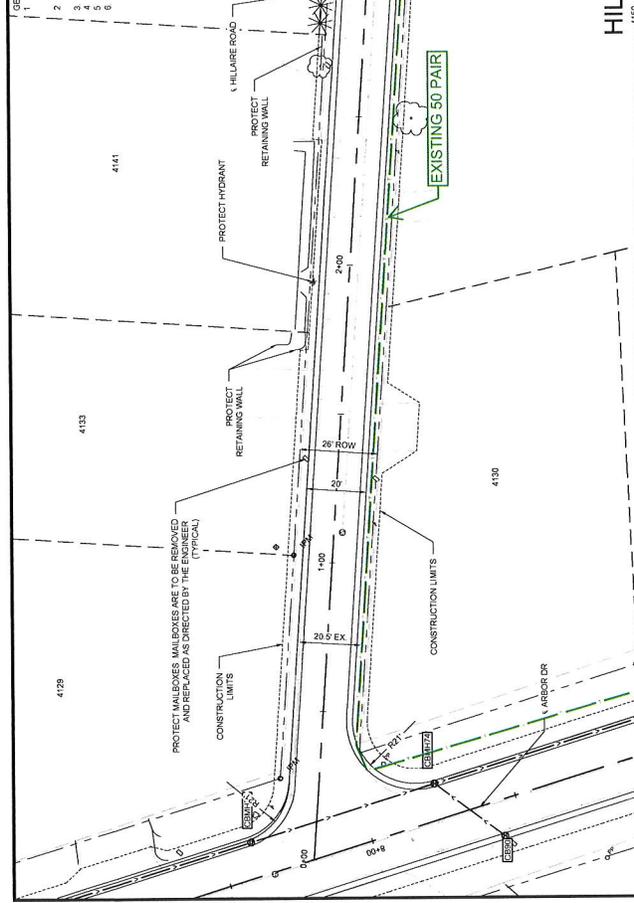
NO.	DATE	BY	DESCRIPTION OF REVISIONS

DESIGNED	DRAWN	CHECKED	DATE

PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA
NAME: JAMES E. BURDENSEL UC No. 33352



- GENERAL NOTES:**
1. LOCATIONS OF EXISTING PROPERTY LINES, UTILITIES, CENTERLINES, AND GRADING ARE BASED ON BEST AVAILABLE INFORMATION AND ARE APPROXIMATE. CONTRACTOR SHALL VERIFY LOCATIONS AND DIMENSIONS OF ALL PERTINENT EXISTING ITEMS PRIOR TO CONSTRUCTION. ALL IN-PLACE UTILITIES MAY NOT BE SHOWN ON THIS PLAN.
 2. PROTECT ALL EXISTING UTILITIES AND STRUCTURES. CONTRACTOR MUST REMOVE AND REINSTALL MAILBOXES AND SPRINKLER SYSTEMS IF IMPACTED BY CONSTRUCTION (INCIDENTAL).
 3. CONTRACTOR SHALL WORK WITH ENGINEER TO MAKE GRADE CHANGES.
 4. YARDS IMPACTED ARE TO BE RESTORED WITH TOPSOIL AND HYDROMULCH UNLESS OTHERWISE NOTED.
 5. ALL GATE VALVES SHALL BE REINSTALLED WITH EXISTING OR NEW GATE VALVES AS NOTED.
 6. ALL EXISTING MANHOLES TO BE REMOVED AND REINSTALLED WITH SALVAGED CASTING AND NEW CONCRETE RINGS. ANY OUTDATED CASTINGS SHALL BE REPLACED AT THE DISCRETION OF THE ENGINEER.



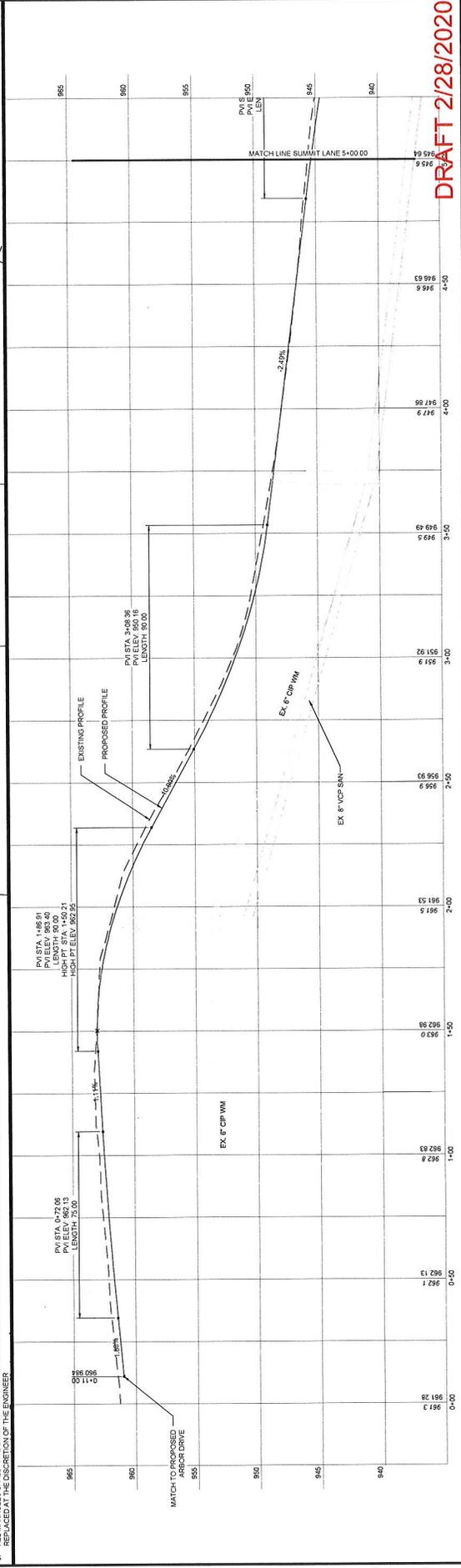
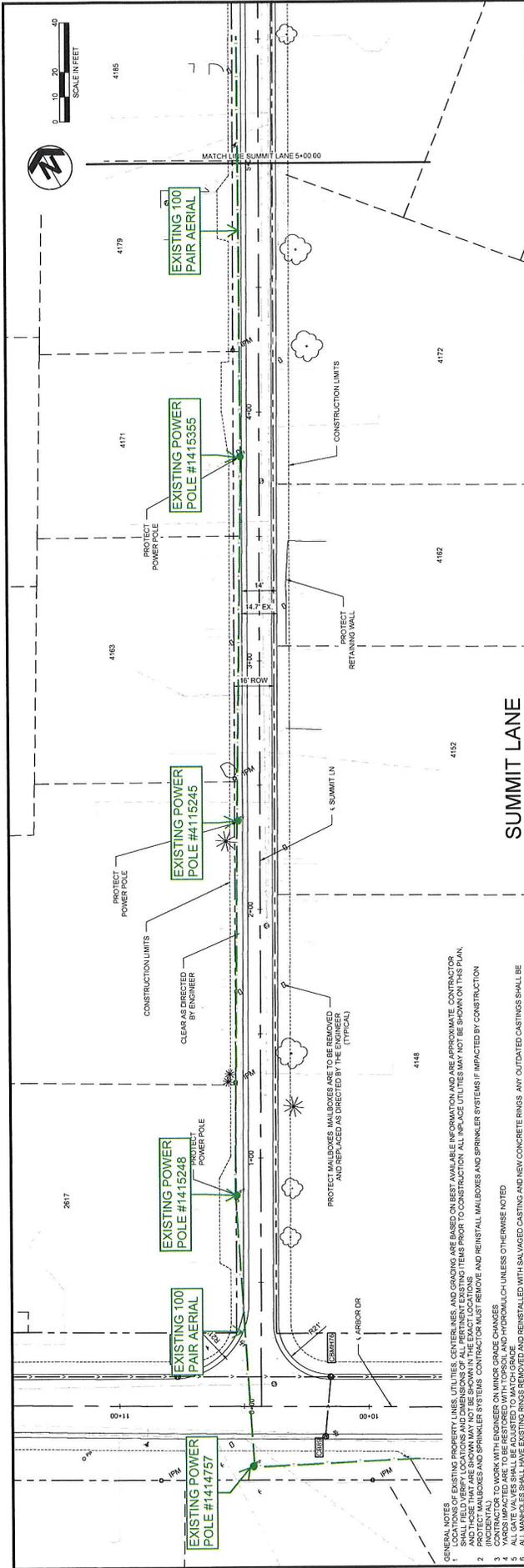
NO.	DATE	BY	DESCRIPTION OF REVISIONS



444 Cedar Street, Suite 1500
 Saint Paul, MN 55101
 651.292.4400
 tkda.com

DESIGNED BY: _____
 DRAWN BY: _____
 CHECKED BY: _____
 DATE: _____

PROJECT: SE AREA STREET RECONSTRUCTION
 DRAWING NO.: 10
 PROJECT NO.: 17127.011

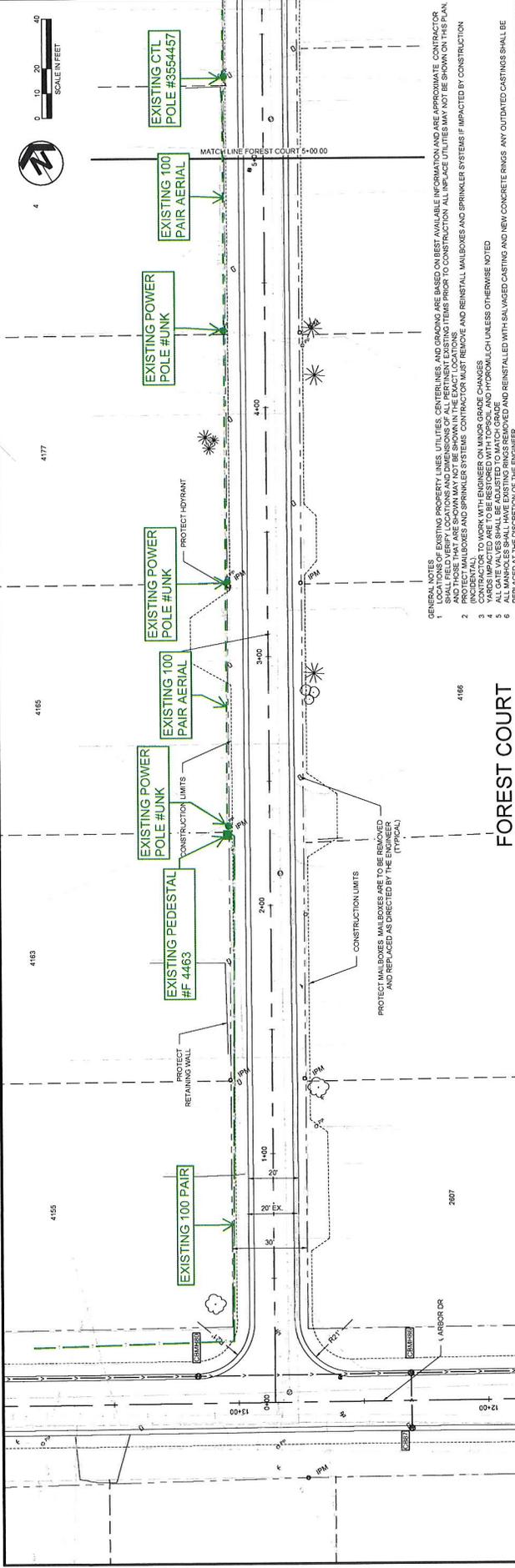


DRAFT 2/28/2020

NO. DATE BY DESCRIPTION OF REVISIONS							
DESIGNED	JES	DRAWN	SUF	CHECKED	UPP	SIGNATURE	DATE
I HEREBY CERTIFY THAT THIS PLAN REPRESENTS AN ORIGINAL PROFESSIONAL REPORT PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.							U.S. NO. 35392
444 Cedar Street, Suite 1500 Saint Paul, MN 55101 651.292.4400 tksa.com							TKSA
SE AREA STREET RECONSTRUCTION				SUMMIT LANE PLAN AND PROFILE			
PROJ. NO. 17127.011 DRAWING NO. 11							11

GENERAL NOTES:

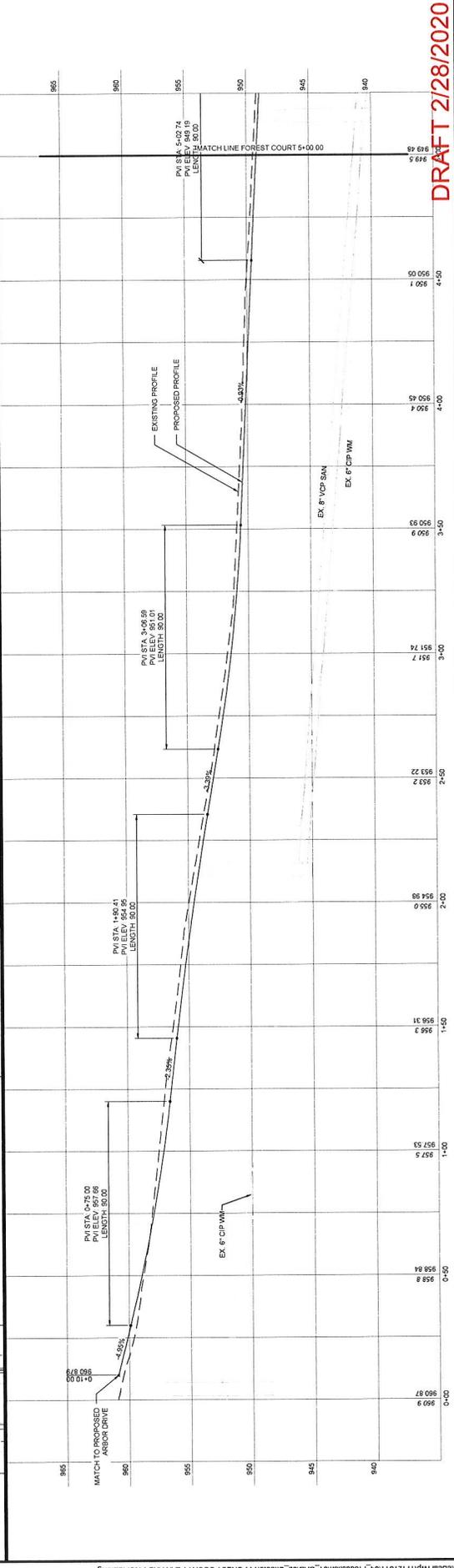
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MINNESOTA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION AND THE APPROPRIATE CONTRACTOR LOCAL FIELD BUREAU LOCATIONS AND DIMENSIONS OF ALL PERTINENT EXISTING ITEMS PRIOR TO CONSTRUCTION. ALL INPLACE UTILITIES MAY NOT BE SHOWN ON THIS PLAN.
2. AND THOSE THAT ARE SHOWN MAY NOT BE SHOWN IN THE EXACT LOCATIONS AND DIMENSIONS. CONTRACTOR MUST REMOVE AND REINSTALL MALLOXES AND SPRINKLER SYSTEMS IF IMPACTED BY CONSTRUCTION (INCIDENTAL).
3. CONTRACTOR TO WORK WITH ENGINEER ON MINOR GRADE CHANGES.
4. ALL MANHOLES SHALL HAVE EXISTING RINGS REMOVED AND REINSTALLED WITH SALVAGED CASTING AND NEW CONCRETE RINGS. ANY OUTDATED CASTINGS SHALL BE RE-CAST IN PLACE AND CONFORM TO THE SPECIFICATIONS.
5. ALL GATE VALVES SHALL BE ADJUSTED TO MATCH GRADE.
6. ALL MANHOLES SHALL HAVE EXISTING RINGS REMOVED AND REINSTALLED WITH SALVAGED CASTING AND NEW CONCRETE RINGS. ANY OUTDATED CASTINGS SHALL BE RE-CAST IN PLACE AND CONFORM TO THE SPECIFICATIONS.



GENERAL NOTES

1. LOCATIONS OF EXISTING PROPERTY LINES, UTILITIES, CENTERLINES, AND GRADING ARE BASED ON BEST AVAILABLE INFORMATION AND ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND DIMENSIONS OF ALL PERTINENT EXISTING ITEMS PRIOR TO CONSTRUCTION. ALL IMPACT UTILITIES MAY NOT BE SHOWN ON THIS PLAN.
2. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES, CENTERLINES, AND GRADING.
3. PROTECT MALEBOXES AND SPRINKLER SYSTEMS. CONTRACTOR MUST REMOVE AND REINSTALL MALEBOXES AND SPRINKLER SYSTEMS IF IMPACTED BY CONSTRUCTION.
4. CONTRACTOR SHALL WORK WITH ENGINEER ON MINOR GRADE CHANGES.
5. VARDS IMPACTED ARE TO BE RESTORED WITH TOPSOIL AND HYDROMULCH UNLESS OTHERWISE NOTED.
6. ALL MALEBOXES SHALL HAVE EXISTING RINGS REMOVED AND REINSTALLED WITH SALVAGED CASTING AND NEW CONCRETE RINGS. ANY OUTDATED CASTINGS SHALL BE REPLACED AT THE DISCRETION OF THE ENGINEER.

FOREST COURT



DRAFT 2/28/2020

NO.	DATE	BY	DESCRIPTION OF REVISIONS

DESIGNED: RES.
 DRAWN: RES.
 CHECKED: UP

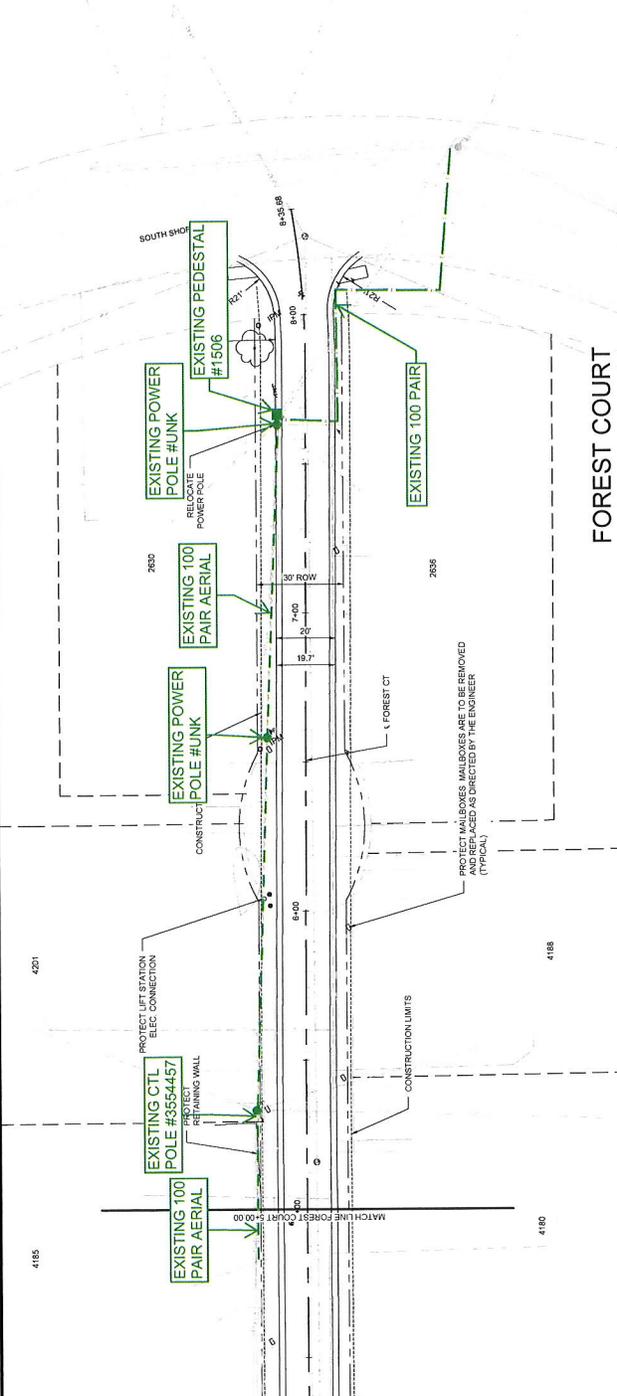
SIGNATURE: _____ DATE: 10/02/20
 NAME: JESSIE EUGENBERG U.S. NO.: 2358

444 Cedar Street, Suite 1500
 Saint Paul, MN 55101
 651.292.4100
 ttda.com

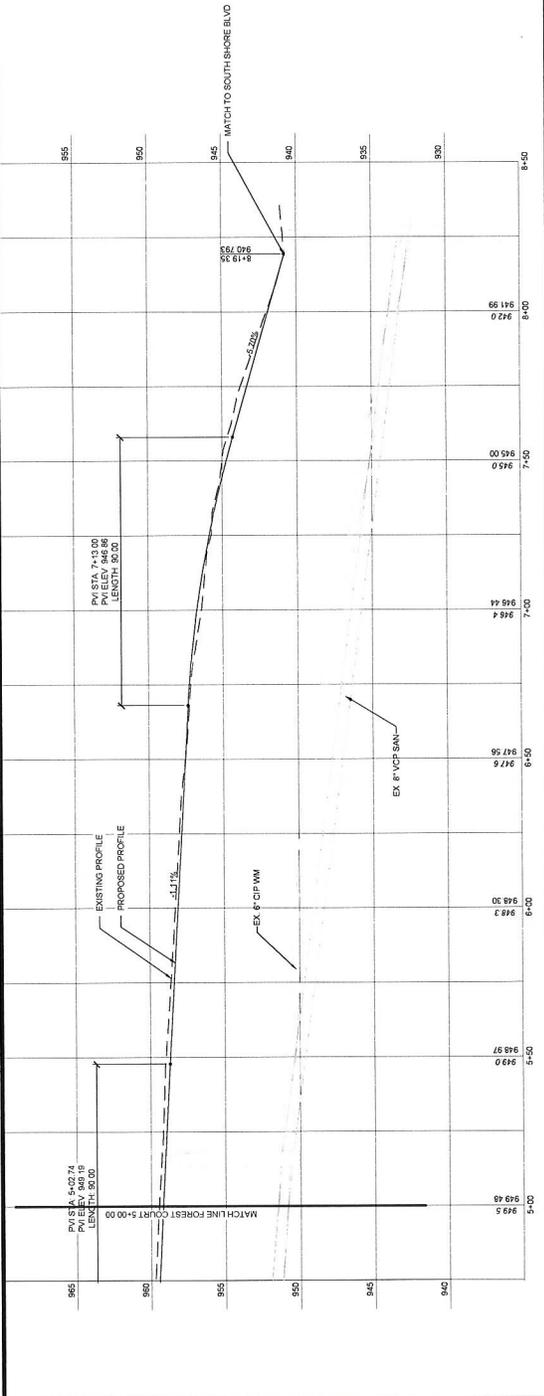
SE AREA STREET RECONSTRUCTION
 FOREST COURT PLAN AND PROFILE
 PROJ. NO. 17127.011
 DRAWING NO. 13



- GENERAL NOTES
- EXISTING PROPERTIES, UTILITIES, CENTERLINES AND GRADING ARE BASED ON BEST AVAILABLE INFORMATION AND ARE FOR INFORMATION ONLY. CONTRACTOR SHALL VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION. ALL INFLATE UTILITIES MAY NOT BE SHOWN IN THE EXACT LOCATIONS.
 - PROTECT MAILBOXES AND SPRINKLER SYSTEMS. CONTRACTOR SHALL PROTECT ALL UTILITIES AND SPRINKLER SYSTEMS IF IMPACTED BY CONSTRUCTION. INCIDENTAL DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AT THE DISCRETION OF THE ENGINEER.
 - CONTRACTOR TO WORK WITH ENGINEER ON MINOR GRADE ADJUSTMENTS TO MATCH EXISTING GRADE.
 - HYDROLOGICAL UNLESS OTHERWISE NOTED TO MATCH GRADE.
 - ALL MANHOLES SHALL HAVE EXISTING RINGS REMOVED AND REPLACED WITH NEW RINGS AND OUTFITTED CASTINGS SHALL BE REPLACED AT THE DISCRETION OF THE ENGINEER.



FOREST COURT



DRAFT 2/28/2020

PROJ. NO. 17127.011
DRAWING NO. 14

FOREST COURT PLAN AND PROFILE

SE AREA STREET RECONSTRUCTION

444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com



DESIGNED BY: JES
DRAWN BY: SF
CHECKED BY: LPP

DATE: 02/28/2020
L.C. NO.: 2327

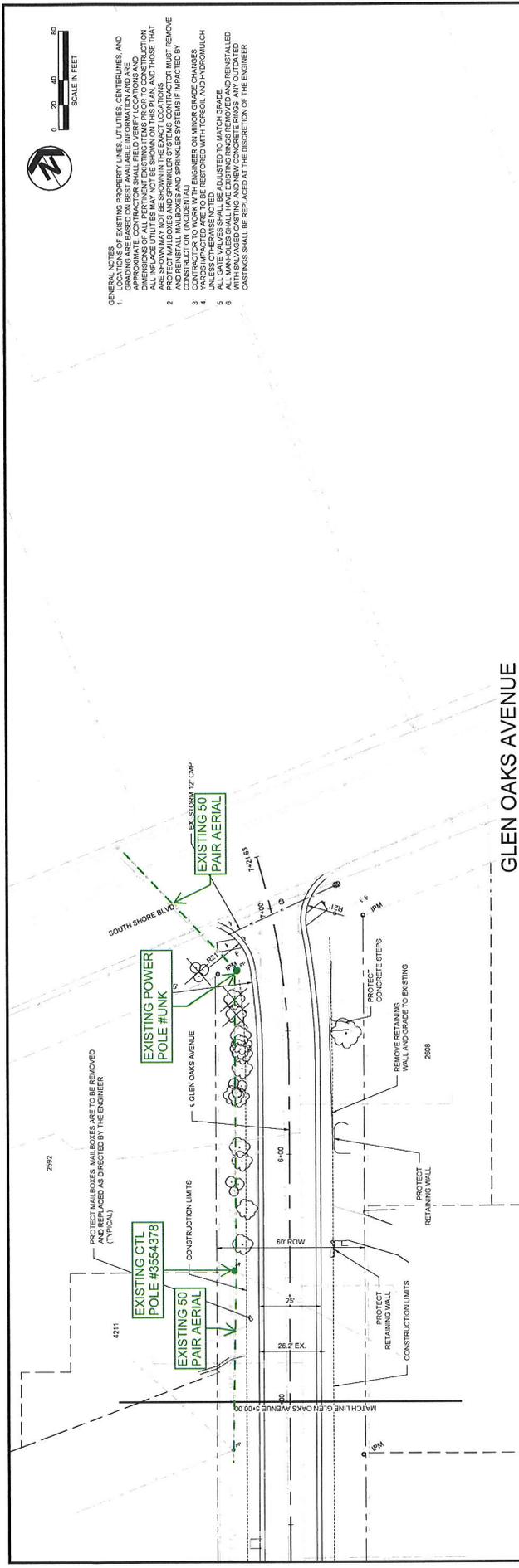
ENGINEER: JAMES E. SUDENSKI

NO.	DATE	DESCRIPTION OF REVISIONS

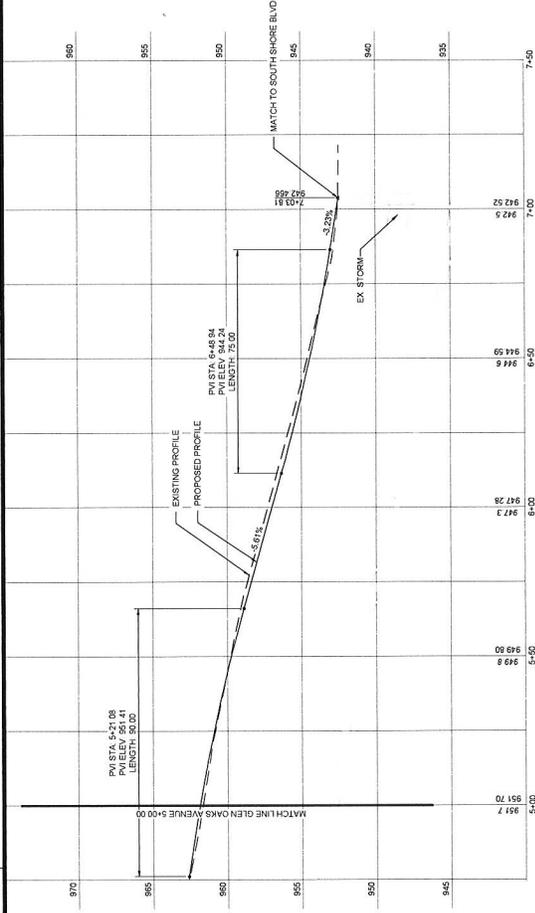
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.



- GENERAL NOTES**
1. ALL UTILITIES SHOWN ARE BASED ON THE MOST RECENT RECORD DRAWINGS AND FIELD SURVEY DATA. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. ALL UNLabeled UTILITIES MAY NOT BE SHOWN ON THIS PLAN, AND THOSE THAT ARE SHOWN MAY NOT BE SHOWN IN THE EXACT LOCATIONS INDICATED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING AND REPAIRING ALL UTILITIES IMPACTED BY CONSTRUCTION. (INCIDENTAL ENGINEER ON MINOR GRADE CHANGES SHALL BE RESPONSIBLE FOR IDENTIFYING AND REPAIRING ALL UTILITIES IMPACTED BY CONSTRUCTION.)
 2. ALL GATE VALVES SHALL BE ADJUSTED TO MATCH GRADE.
 3. ALL MANHOLES SHALL HAVE EXISTING RINGS REMOVED AND REINSTALLED WITH NEW RINGS. ALL CASTINGS SHALL BE REPLACED AT THE DISCRETION OF THE ENGINEER.



GLEN OAKS AVENUE



DRAFT 2/28/2020

PROJ. NO. 17127.011
DRAWING NO. 16

**GLEN OAKS AVENUE
PLAN AND PROFILE**

**SE AREA STREET
RECONSTRUCTION**

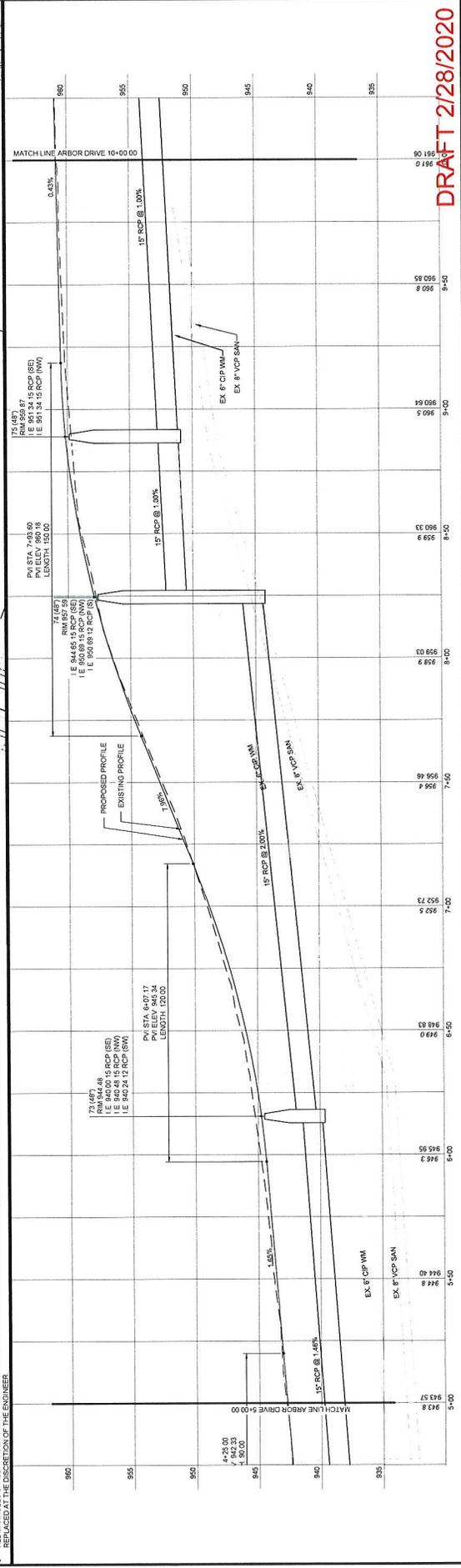
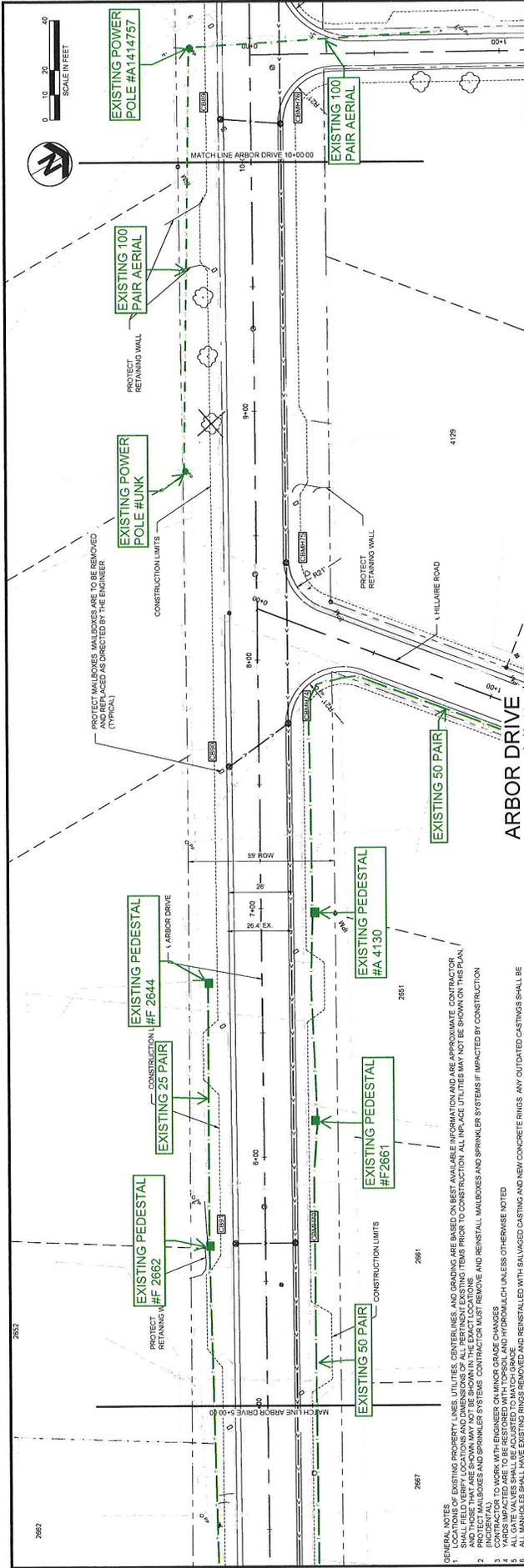
444 Cedar Street, Suite 1500
St. Paul, MN 55101
651.292.4400
ttda.com



DESIGNED BY: JAMES E. CLUGENSKI
CHECKED BY: JAMES E. CLUGENSKI
DATE: 10/30/2019
C.U. NO.: 2352

NO.	DATE	BY	DESCRIPTION OF REVISIONS

PLANT DATE: Feb 28, 2020, 8:28am
PLANTNAME: K:\M\17127\17127.011\04_Production\01_CAD\02_Sheets\16_GLEN OAKS AVENUE PLAN AND PROFILE.dwg



DRAFT 2/28/2020

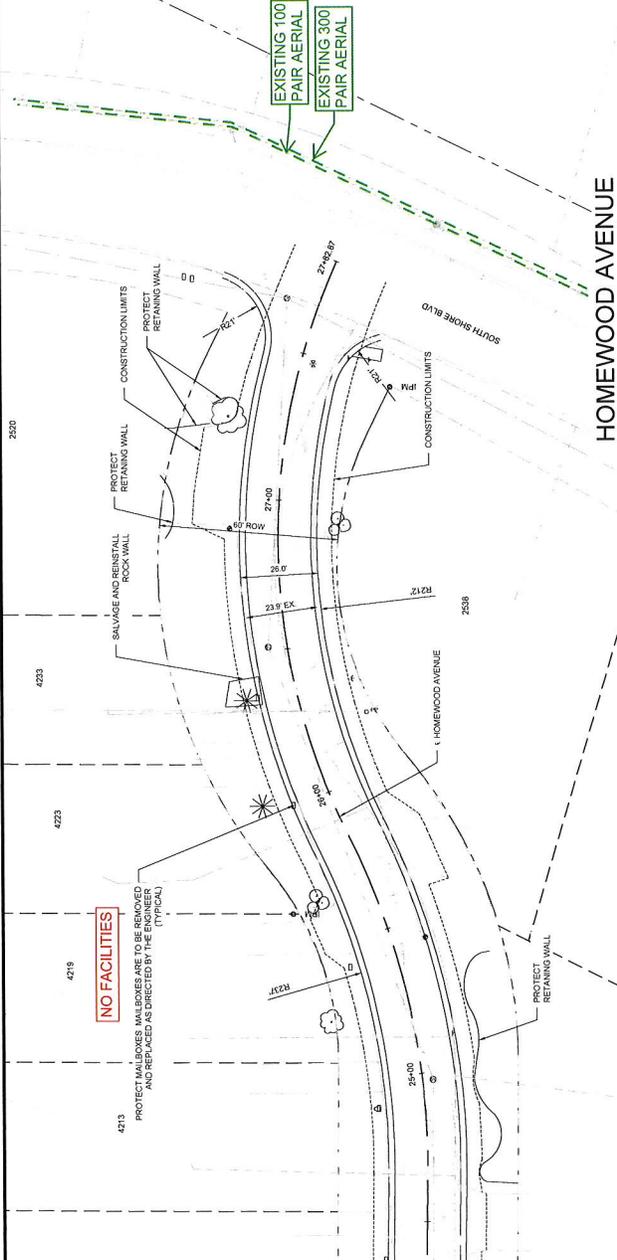
SE AREA STREET RECONSTRUCTION	ARBOR DRIVE PLAN AND PROFILE	PRJ. NO. 17127.011 DRAWING NO. 19
444 Cedar Street, Suite 1500 Saint Paul, MN 55101 651.292.4400 tkda.com	TKDA	
DESIGNED: _____ DRAWN: _____ CHECKED: _____	I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota. SIGNATURE: _____ DATE: 10/08/2019 NAME: JAMES E. STUEBGEN, L.C. NO. 23337	
NO. DATE BY DESCRIPTION OF REVISIONS		

GENERAL NOTES

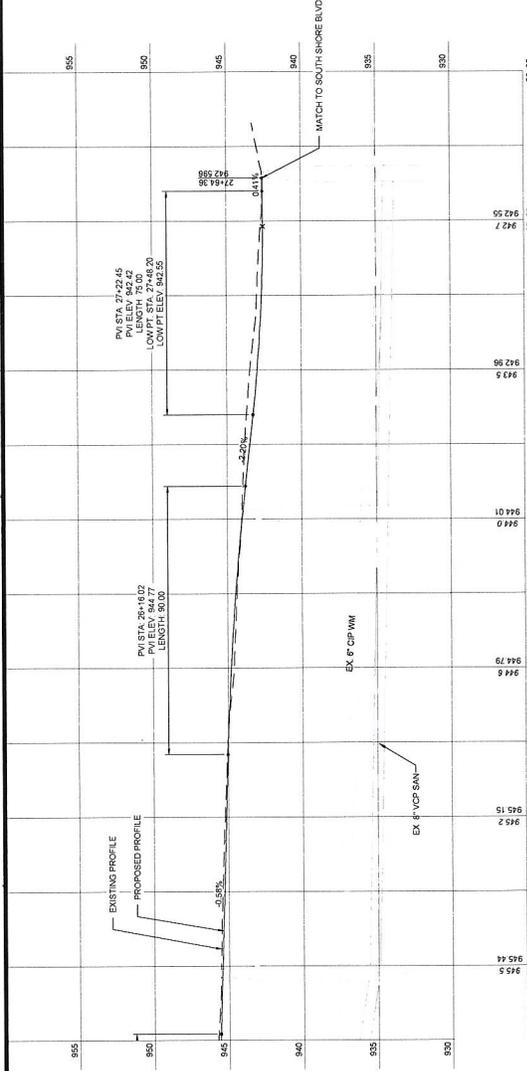
1. CONTRACTOR SHALL VERIFY ALL UTILITIES, CONDUITS, AND COLUMNS ARE BASED ON BEST AVAILABLE INFORMATION AND ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND DIMENSIONS OF ALL PERTINENT EXISTING ITEMS PRIOR TO CONSTRUCTION. ALL IMPACT UTILITIES MAY NOT BE SHOWN ON THIS PLAN, AND THOSE THAT ARE SHOWN MAY NOT BE SHOWN IN THE EXACT LOCATIONS.
2. CONTRACTOR SHALL VERIFY ALL EXISTING MANHOLES AND SPRINKLER SYSTEMS. CONTRACTOR MUST REMOVE AND REINSTALL MANHOLES AND SPRINKLER SYSTEMS IF IMPACTED BY CONSTRUCTION (INCIDENTAL).
3. CONTRACTOR TO WORK WITH ENGINEER ON MINOR GRADE CHANGES.
4. ALL GATE VALVES SHALL BE ADJUSTED TO MATCH GRADE.
5. ALL MANHOLES SHALL HAVE EXISTING RINGS. ALL NEW MANHOLES SHALL BE REMOVED AND REINSTALLED WITH SALVAGED CASTING AND NEW CONCRETE RINGS. ANY OUTDATED CASTINGS SHALL BE REBUILT AS PER THE CONSTRUCTION SPECIFICATIONS.



- GENERAL NOTES**
1. LOCATIONS OF EXISTING PROPERTY LINES, UTILITIES, CENTERLINES, AND GRADING ARE SHOWN ON THIS PLAN. ALL DIMENSIONS ARE TO CENTERLINES UNLESS OTHERWISE NOTED.
 2. DIMENSIONS OF ALL PERTINENT EXISTING ITEMS PRIOR TO CONSTRUCTION SHALL BE SHOWN ON THIS PLAN AND THOSE THAT ARE SHOWN MAY NOT BE SHOWN IN THE EXACT LOCATIONS AND SPACINGS SYSTEMS CONTRACTOR SYSTEMS IF IMPACTED BY CONSTRUCTION (INCIDENTAL).
 3. REMOVAL AND REINSTALL WALLBOXES AND SPRINKLER SYSTEMS IF YARDS IMPACTED ARE TO BE RESTORED WITH TOPSOIL AND MULCH.
 4. ALL MANHOLES SHALL HAVE EXISTING RINGS REMOVED AND NEW RINGS INSTALLED TO MATCH THE EXISTING RINGS.
 5. ANY OUTDATED CASTINGS SHALL BE REPLACED AT THE DISCRETION OF THE ENGINEER.



HOMEWOOD AVENUE



DRAFT 2/28/2020

PROJ. NO. 17127.011
DRAWING NO. 23

**HOMEWOOD AVENUE
PLAN AND PROFILE**

**SE AREA STREET
RECONSTRUCTION**

444 Cedar Street, Suite 1500
Springfield, MA 01101
651-262-4400
tkda.com



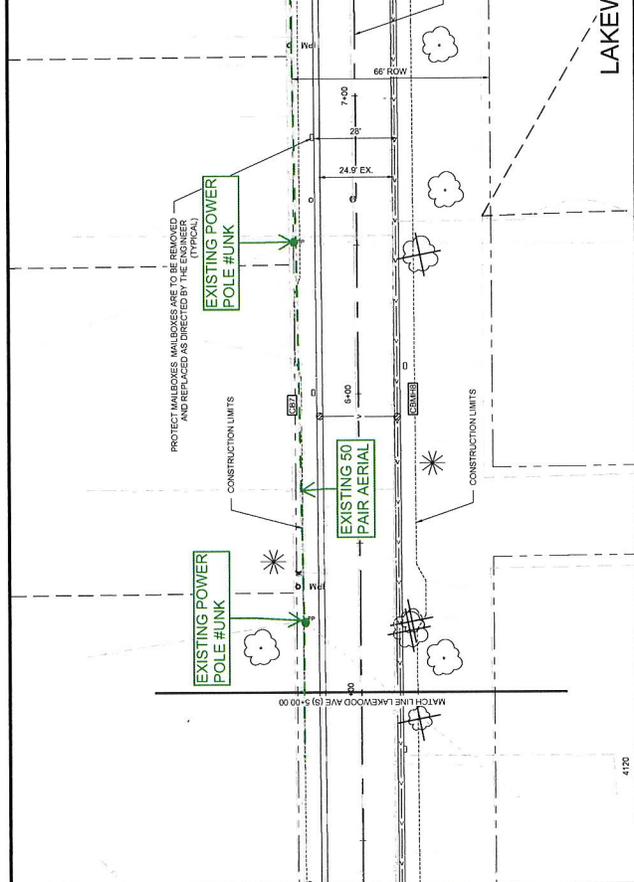
THIS REPORT WAS PREPARED BY THE PROFESSIONAL ENGINEER AND THE LAND OF THE STATE OF MA.
SIGNATURE: E. EUGENSON DATE: 02/28/2020
U.S. NO. 2302

NO.	DATE	BY	DESCRIPTION OF REVISIONS

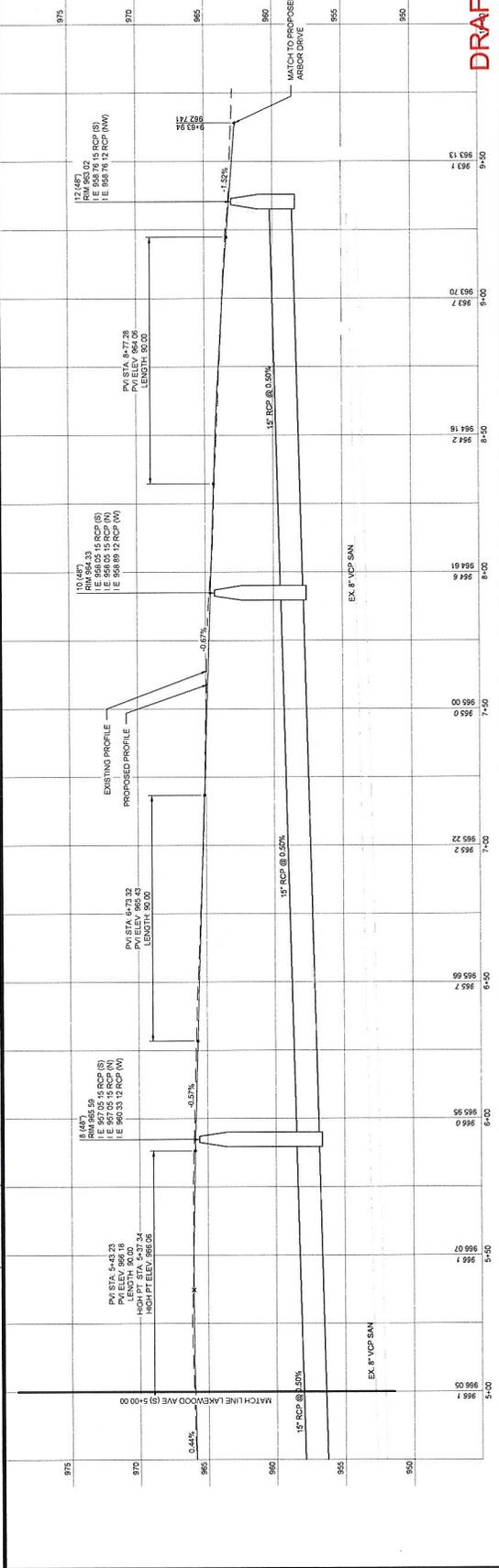
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- GENERAL NOTES**
1. LOCATIONS OF EXISTING PROPERTY LINES, UTILITIES, CENTERLINES, AND GRADING ARE BASED ON BEST AVAILABLE INFORMATION AND ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND DEPTHS PRIOR TO CONSTRUCTION. ALL INPLACE UTILITIES SHALL NOT BE SHOWN ON THIS PLAN.
 2. PROTECT MAILBOXES AND SPRINKLER SYSTEMS. CONTRACTOR MUST REMOVE AND REINSTALL MAILBOXES AND SPRINKLER SYSTEMS IF IMPACTED BY CONSTRUCTION.
 3. PROTECT MAILBOXES AND SPRINKLER SYSTEMS. CONTRACTOR MUST REMOVE AND REINSTALL MAILBOXES AND SPRINKLER SYSTEMS IF IMPACTED BY CONSTRUCTION.
 4. CONTRACTOR TO WORK WITH ENGINEER ON MINOR GRADE CHANGES.
 5. VARIATIONS IMPACTED ARE TO BE RESTORED WITH TOPSOIL AND HYDROMULCH UNLESS OTHERWISE NOTED.
 6. ALL MANHOLES SHALL HAVE EXISTING RINGS REMOVED AND REINSTALLED WITH SALVAGED CASTING AND NEW CONCRETE RINGS. ANY OUTDATED CASTINGS SHALL BE REPLACED AT THE DISCRETION OF THE ENGINEER.



LAKWOOD AVENUE (S)



DRAFT 2/28/2020

NO.	DATE	BY	DESCRIPTION OF REVISIONS

DESIGNED	
DRAWN	
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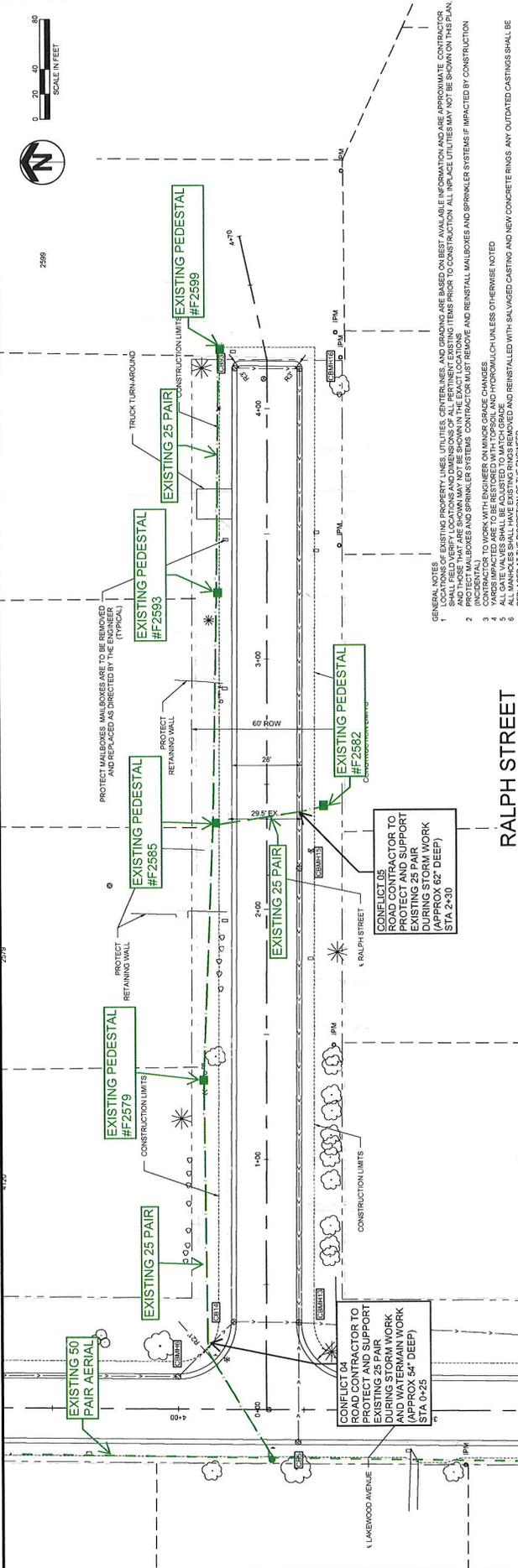
PROJECT NO.	17127.011
DRAWING NO.	25

444 Cedar Street, Suite 1500 Saint Paul, MN 55101 651.292.4400 tkda.com	TKDA
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SE AREA STREET RECONSTRUCTION	LAKWOOD AVENUE (S) PLAN AND PROFILE
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2588

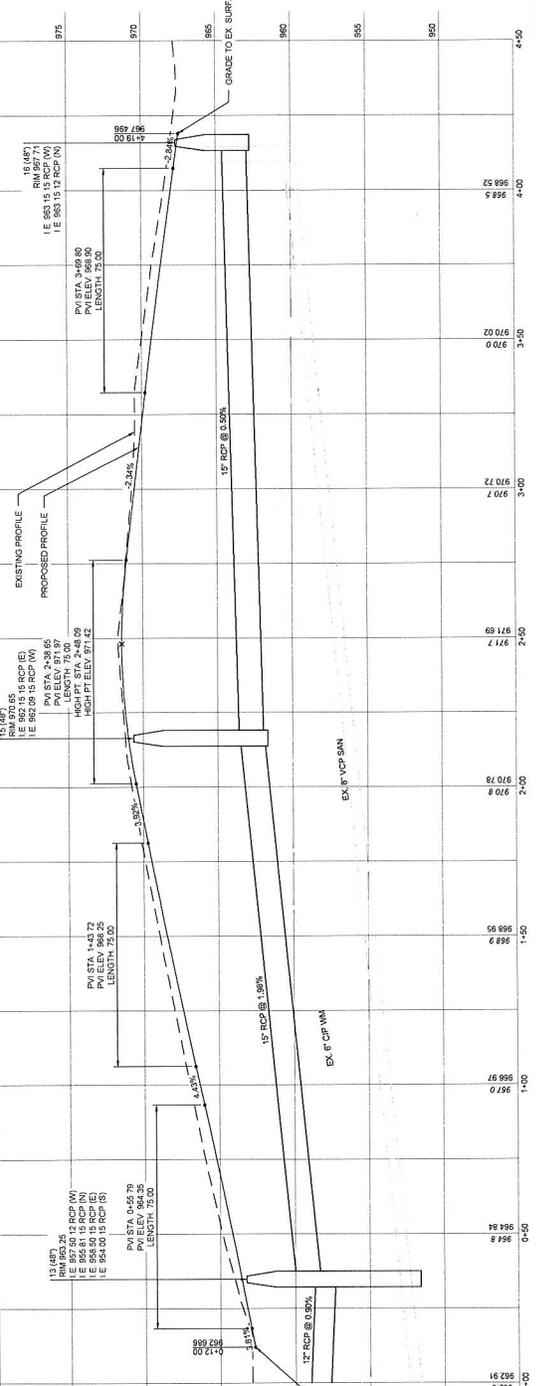


CONFLICT 04
ROAD CONTRACTOR TO
PROTECT AND SUPPORT
EXISTING 25' PAIR
DURING STORM WORK
AND WATERMAIN WORK
(APPROX 54' DEEP)
STA 0+25

CONFLICT 05
ROAD CONTRACTOR TO
PROTECT AND SUPPORT
EXISTING 25' PAIR
DURING STORM WORK
(APPROX 62' DEEP)
STA 2+30

RALPH STREET

- GENERAL NOTES:
1. LOCATIONS OF EXISTING UTILITY LINES, UTILITIES, CENTERLINES, AND GRADING ARE BASED ON BEST AVAILABLE INFORMATION AND ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY, LOCATIONS AND DIMENSIONS OF ALL PERTINENT EXISTING ITEMS PRIOR TO CONSTRUCTION. ALL INPLACE UTILITIES MAY NOT BE SHOWN ON THIS PLAN.
 2. PROTECT MALIBOXES AND SPRINKLER SYSTEMS. CONTRACTOR MUST REMOVE AND REINSTALL MALIBOXES AND SPRINKLER SYSTEMS IF IMPACTED BY CONSTRUCTION (INCIDENTAL).
 3. CONTRACTOR TO WORK WITH ENGINEER ON WADERS GRABBER CHANGES.
 4. WADERS IMPACTED ARE TO BE RESTORED WITH TOPSOIL AND HYDROMULCH UNLESS OTHERWISE NOTED.
 5. ALL GATE VALVES SHALL HAVE CASTING RINGS REMOVED AND REINSTALLED WITH SALVAGED CASTING AND NEW CONCRETE RINGS. ANY OUTDATED CASTINGS SHALL BE REPLACED AT THE DISCRETION OF THE ENGINEER.



DRAFT 2/28/2020

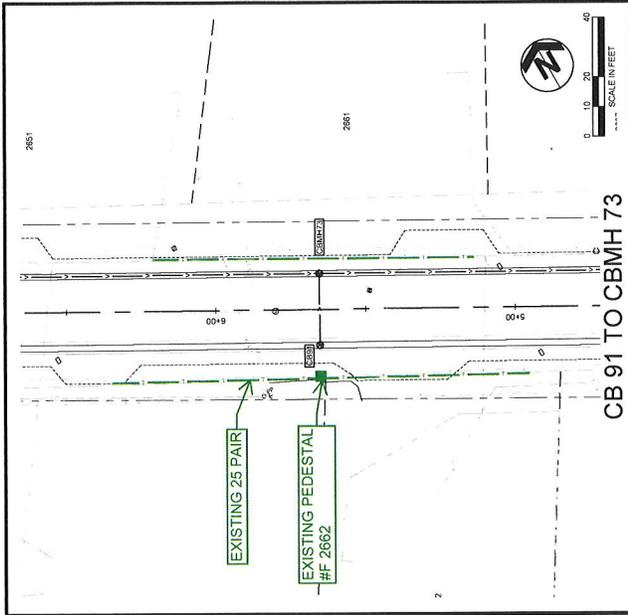
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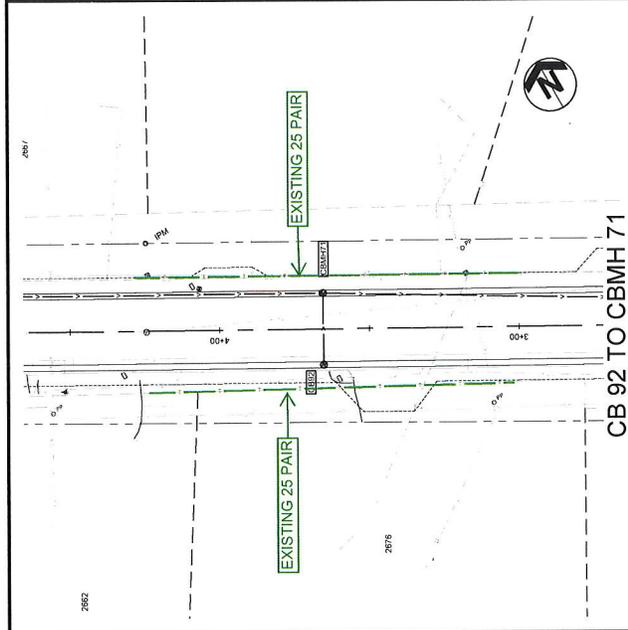
SIGNATURE	DATE	
NAME: JESSIE EUGENSON		

444 Cedar Street, Suite 1500
Shim-Plan, MN 55101
651.292.4400
tksa.com

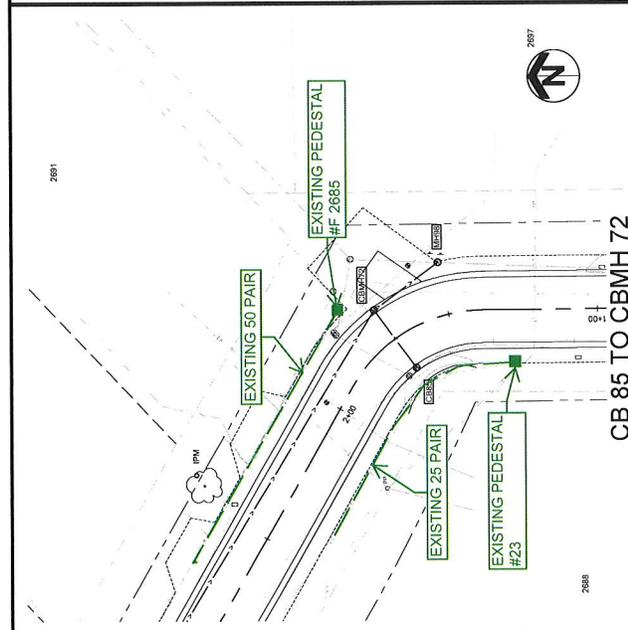
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PRJ. NO. 17127.011		DRAWING NO. 26	



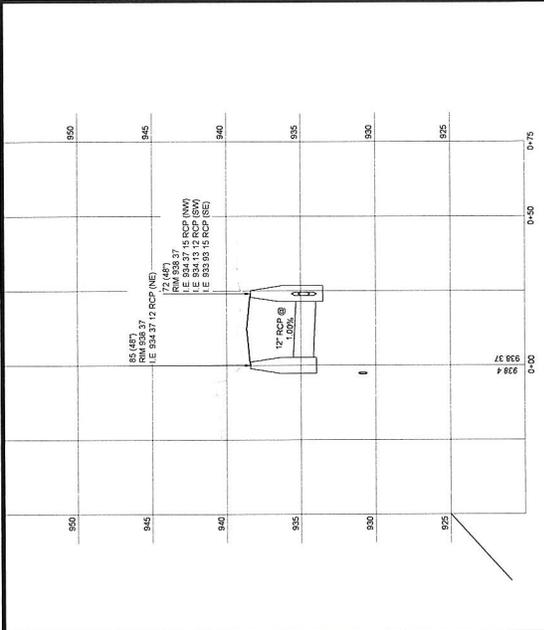
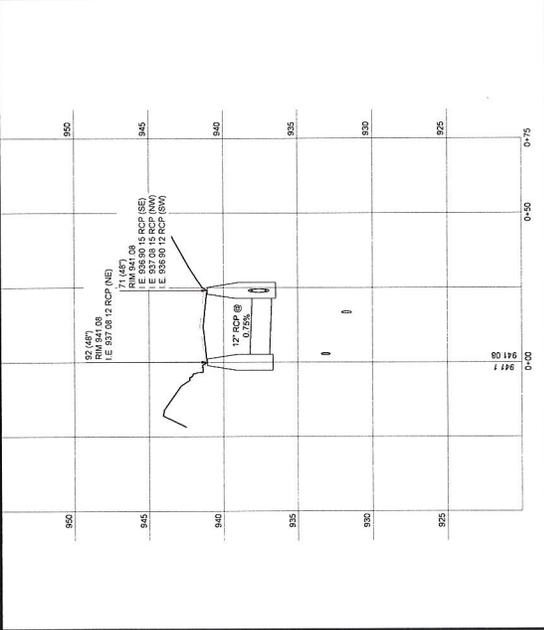
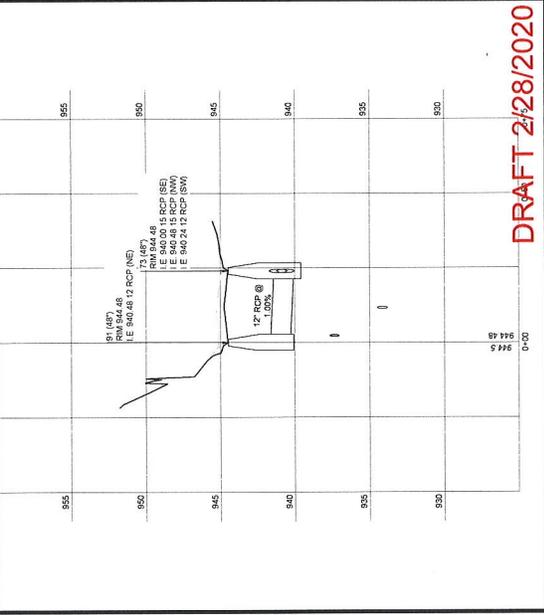
CB 91 TO CBMH 73



CB 92 TO CBMH 71



CB 85 TO CBMH 72



DRAFT 2/28/2020

PROJ. NO. 17/127.011
DRAWING NO. 29

STORM SEWER PLAN
AND PROFILE

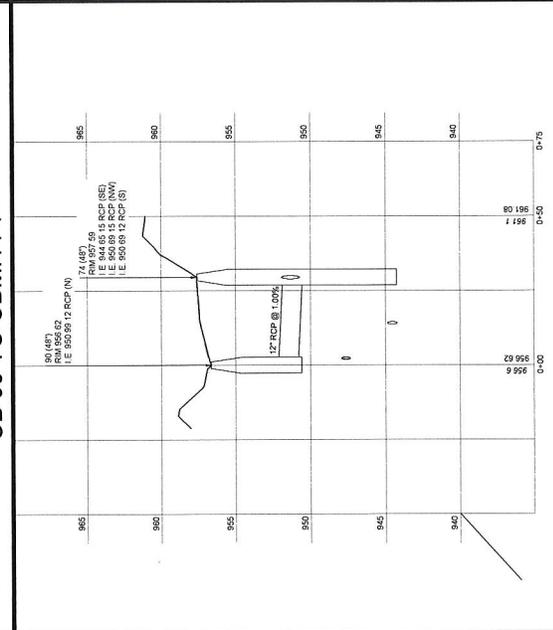
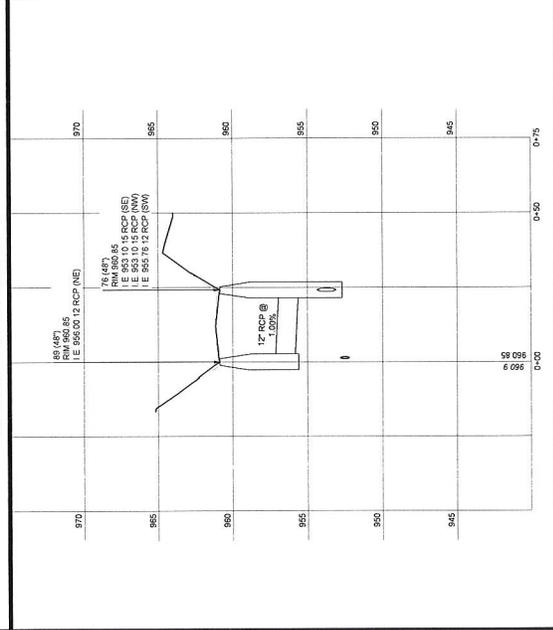
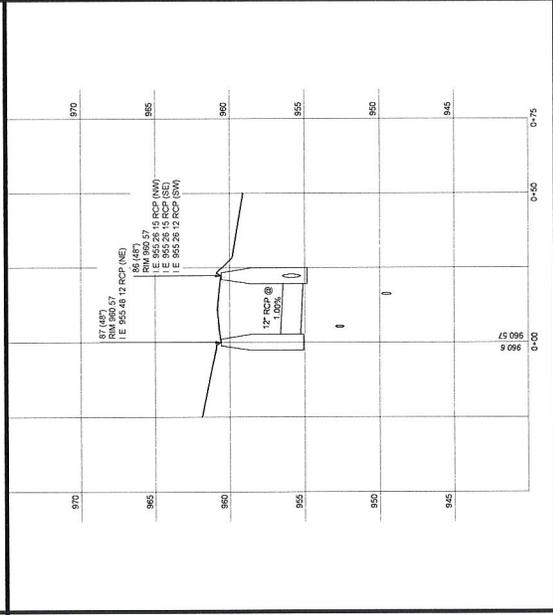
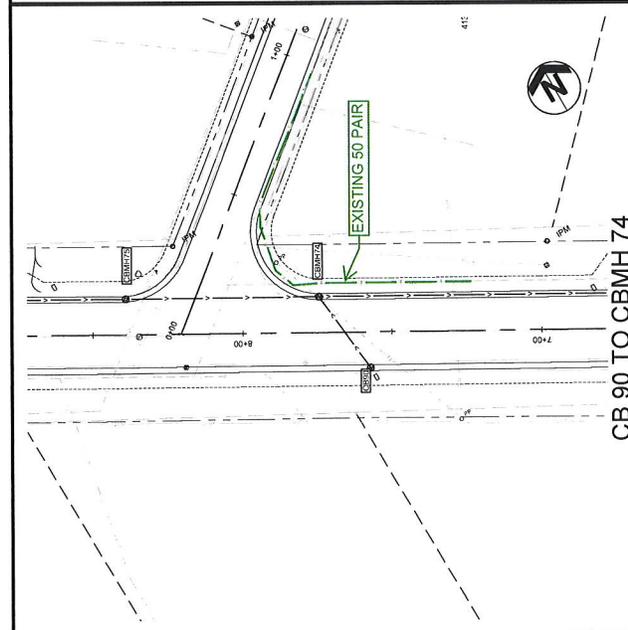
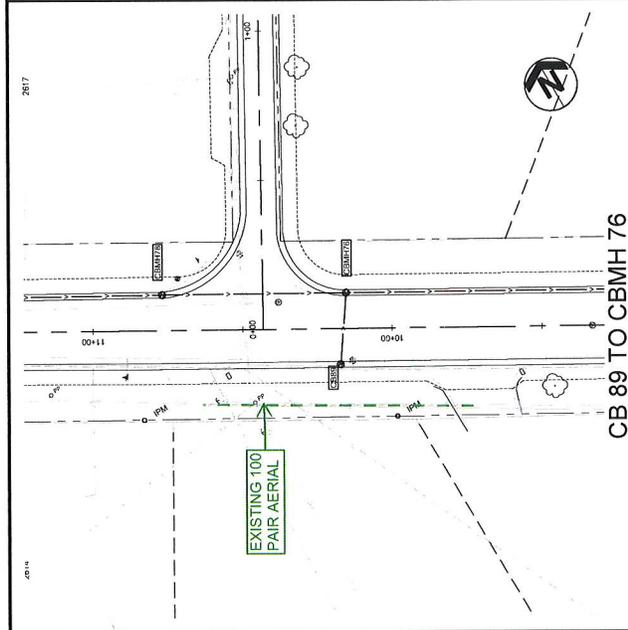
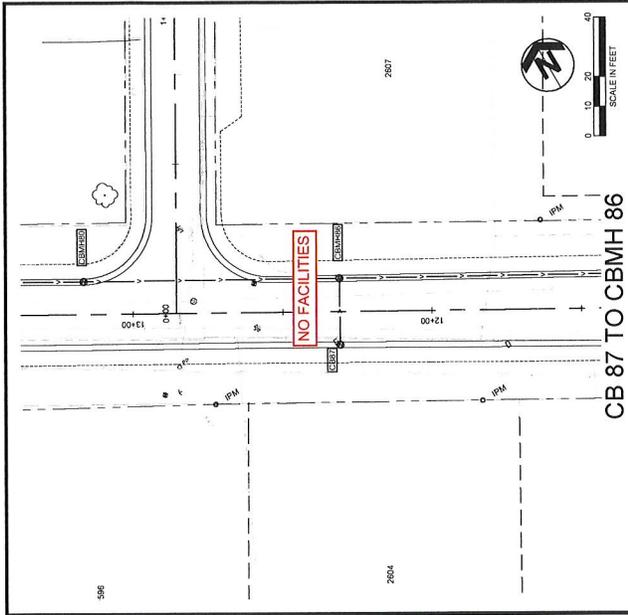
SE AREA STREET
RECONSTRUCTION

444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651-292-4400
tkda.com



DESIGNED BY: JES
DRAWN BY: SJF
CHECKED BY: [blank]
DATE: 02/20/20
LIC. NO.: 23237

NO.	DATE	BY	DESCRIPTION OF REVISIONS



STORM SEWER PLAN AND PROFILE	SE AREA STREET RECONSTRUCTION	444 Cedar Street, Suite 1500 Saint Paul, MN 55101 651.292.4400 tkda.com	PROJ. NO. 17127.011 DRAWING NO. 30												
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION OF REVISIONS</th> </tr> </thead> <tbody> <tr> <td>DESIGNED</td> <td>DES</td> <td></td> </tr> <tr> <td>DRAWN</td> <td>SF</td> <td></td> </tr> <tr> <td>CHECKED</td> <td>UPP</td> <td></td> </tr> </tbody> </table>		NO.	DATE	DESCRIPTION OF REVISIONS	DESIGNED	DES		DRAWN	SF		CHECKED	UPP		<p>TKDA</p> <p>WEBSY CERTIFY THAT THE PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.</p> <p>ENGINEER NAME: JAMES E. SUDENSKI DATE: 10/20/20 LIC. NO.: 23327</p>	
NO.	DATE	DESCRIPTION OF REVISIONS													
DESIGNED	DES														
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**Town Board Meeting
June 15, 2020**

Agenda Number: 5.J – Consent Agenda

Subject: Construction Activity Report - Receive

Documentation: Report

Action / Motion for Consideration:

Receive Information / Discuss

Receive Report

White Bear Township Construction Activity Report

<u>BUILDING PERMIT</u>	MAY 2020		2020 YEAR TO DATE		2019 YEAR TO DATE	
<u>HOUSING</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
SINGLE FAMILY	1	550,000	5	1,833,000	4	1,333,915
TOWN HOME	-	-	-	-	-	-
TOTALS	1	\$ 550,000	5	\$ 1,833,000	4	\$ 1,333,915
<u>MISCELL. RESIDENTIAL</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
REMODEL & ADDITIONS	2	1,300	13	222,347	14	330,727
SIDING, ROOF. & WIND.	26	295,822	111	1,185,018	125	1,457,538
DECKS	3	4,500	6	21,500	14	84,300
SWIMMING POOLS	-	-	-	-	-	-
ACCESSORY BLDG	-	-	1	10,000	2	99,100
OTHER	1	3,300	8	399,536	10	120,835
TOTALS	32	\$ 304,922	139	\$ 1,838,401	165	\$ 2,092,500
<u>COMMERCIAL</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
PUBLIC BUILDINGS	-	-	-	-	1	28,000
INDUSTRIAL	-	-	1	7,025,000	-	-
BUSINESS	-	-	-	-	-	-
REMODEL & ADDITIONS	1	1,500,000	3	1,900,000	7	2,090,000
OTHER	-	-	1	425,000	-	-
TOTALS	1	\$ 1,500,000	5	\$ 9,350,000	8	\$ 2,118,000
<u>MISCELLANEOUS</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>	<u>PERMITS</u>	<u>VALUATION</u>
DEMOLITION	-	-	-	-	3	-
TOTALS	34	\$ 2,354,922	149	\$ 13,021,401	180	\$ 5,544,415
PERMIT REVENUE		\$ 16,102		\$ 72,227		\$ 40,932



**Town Board Meeting
June 15, 2020**

Agenda Number: 6.A – Old Business

Subject: Ordinance No. 69 (Tobacco):

1. Adopt the Amendments to Ordinance No. 69.
2. Approve Synopsis of Ordinance.
3. Adopt the Resolution Authorizing Publication of the Title & Summary of the Amendments

Documentation: Staff Memo w/ attachments

Action / Motion for Consideration:

Receive Report / Discuss

Based on Staff Review & Recommendation:

- 1) Adopt the Amendments to Ordinance No. 69 (Tobacco)
- 2) Approve the Synopsis of Ordinance No. 69
- 3) Adopt the **Resolution Authorizing Publication of the Title & Summary of Amendments to Ordinance No. 69 (Tobacco)**

Ruzek – Moves

McCune – Seconds

Minutes
Town Board Meeting
June 1, 2020

CONSENT AGENDA: McCune moved to approve the consent agenda as follows: 5D) Ordinance No. 69 (Tobacco) Amendment – Rescind action to call public hearing for June 15, 2020 to adopt amendment- hearing not required. Ruzek seconded. Ayes all.

Minutes
Town Board Meeting
May 18, 2020

ORDINANCE NO. 69 (TOBACCO) – ADOPT AMENDMENT: The Town Attorney reported that he has read the ordinances for neighboring communities such as Shoreview, Little Canada, Vadnais Heights,

and White Bear Lake. He noted that the ordinance for Little Canada and Shoreview recommend the Committee's wording, but keeping out a few minor things like the preamble, and keep the Town Board's right to grant variances and violations. The Committee wants the violations to be considered criminal, and the Town Board, if stated as the judge, would have say over the degree of the charge (i.e. administrative or criminal). There was discussion on this agenda item being passed at the state level and so perhaps the Town Board should table the discussion to see what language the state adopts first.

Ruzek made the motion to table this agenda item due to the State adopting Tobacco 21 and the uncertainty of the language of the ordinance, noting that the public hearing for this agenda item is called for Monday, June 15, 2020 at 7:00 p.m. at Heritage Hall. McCune seconded. Ayes all.

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: JUNE 8, 2020

SUBJECT: TOBACCO ORDINANCE AMENDMENT

After the Town Attorney's review of the proposed changes to Ordinance No. 69 (Tobacco), there were three specific items that he did not believe the Township should change (see marked up copy attached), but the rest of the changes would bring the Township into compliance with most of the other contract communities.

I have amended the Ordinance in accordance with his recommendations.

Requested Actions:

- Adopt the changes to Ordinance No. 69 as attached.
- Approve the Synopsis of Ordinance No. 69
- Adopt the Resolution Authorizing Publication of the Title and Summary of Amendments to Ordinance No. 69 (Tobacco)
 - This is recommended due to the length of the ordinance and the cost to publish

PSW/s
b:ordinance 69synopsis

MEMORANDUM

DATE: May 14, 2020
TO: White Bear Town Board
FROM: Chad D. Lemmons
RE: Proposed Amendment Ordinance No. 69 – Tobacco

I compared the proposed ordinance changes to the existing ordinances at the City of Shoreview, City of Little Canada, City of Vadnais Heights and the City of White Bear Lake. The tobacco ordinances adopted by the City of Shoreview and the City of Little Canada are quite similar to the changes proposed to the White Bear Ordinance. I would also note that the proposed language addresses certain issues that the existing ordinance does not address. In addition, the definition of “tobacco products”, see 2-1, is more extensive in the proposed language than it is in the present ordinance. The same is true of tobacco related devices, Section 2-2, and tobacco products sold individually, see opposed Section 2-7.

However, there are certain changes that I do not feel are necessary.

The first would be the proposed language in Section 1. The present language adequately explains the purpose and findings in adopting a tobacco sales ordinance. The proposed language represents an advocacy of one position regarding the use of tobacco products.

The proposal also has additional restrictions regarding proximity to other retailers. Presently any retailer who was in business of selling tobacco products for at least one year prior to enacting the ordinance is not bound by the 2000 foot space requirement. The proposed language states that in addition to being open for at least one year there may also be no failure to renew the license. This proposed language implies that if at any time there was a failure to renew the license, for any reason, then the retailer can no longer take advantage of the 2000 foot exemption. My opinion is this additional language is over reaching and should not be considered.

The proposal also changes language to Section 3-5 dealing with transfers. Under the proposed language no transfer of license is allowed. Under the existing language a transfer can occur with approval of the Town Board. I recommend against the proposed change.

I also recommend against the proposed change to Section 12, violations. The proposed change would be to delete Section 12-6, misdemeanor prosecution. The Town should retain the flexibility of dealing with a violation either administratively or criminally.

The proposal also changes the administrative fines which a violator may be subject to in Section 13-1. Under this proposal they are increasing the first violation from \$200 to \$500, the Second violation from \$400 to \$750 and the third violation from \$600 to \$1,000. The Board has already decided what the penalty should be, however, the Board always has the option of altering the penalties.

Beyond the change from 18-21 there is another change that needs to be highlighted. The proposed language combines Section 7 and 8 into one section. Section 7 deals with vending

machines while Section 8 deals with self-services sales. Vending machines are really a subsection of self-service sales. Therefore, it would make sense to combine Section 7 and 8 into one. The resulting Section would then be simply self-service sales.

Over all the proposed changes represent updates which reflect the changes in tobacco products and sales. With the exception of the City of White Bear Lake and Vadnais Heights the proposed changes would bring the Town into conformance with surrounding municipalities.

SECTION 3. LICENSE. No person shall sell or offer to sell any ~~tobacco, tobacco products, or tobacco-related devices~~ licensed products without first having obtained a license to do so from the Township.

Section 3A3-1. SMOKING. Smoking shall not be permitted and no person shall smoke within the indoor area of any establishment with a retail tobacco license. Smoking for the purposes of sampling ~~tobacco and tobacco-related~~ licensed products is prohibited.

Section 3-2B. PROXIMITY TO OTHER RETAILERS. No license shall be granted pursuant to this section to any person for any retail sales of ~~tobacco, tobacco products, tobacco related devices, or nicotine or lobelia delivery devices~~ licensed products, within two thousand feet of any other establishment holding such license, as measured by the shortest line between the space to be occupied by the proposed licensee and the occupied space of the nearest existing licensee, unless that person has been in the business of selling such products in that ~~location~~ before the date this section was enacted into law for at least one year and that location has not failed to renew its license.

Commented [PHLC14]: Changed format here to fit the numbering format used throughout the ordinance.

Commented [PHLC15]: This could be updated to reflect one year from the actual date this ordinance was adopted.

Commented [PHLC16]: This language could be added to ensure the license was continuously held during this time

3-31. APPLICATION. An application for a license to sell ~~tobacco, tobacco products, or tobacco-related devices~~ licensed products shall be made on a form provided by the Township. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the Township deems necessary. Upon receipt of a completed application, the Town Clerk shall forward the application to the Town Board for action at their next regularly scheduled meeting. If the Town Clerk shall determine that an application is incomplete, he shall return the application to the applicant with notice of the information necessary to make the application complete.

3-42. ACTION. The Town Board may either approve or deny the license, or it may delay action for such reasonable period of time as necessary to complete any investigation of the application or the applicant, as it deems necessary.

3-53. TERM. All licenses issued under this Ordinance shall expire on December 31st of the year issued.

3-64. REVOCATION OR SUSPENSION. Any license issued under this Ordinance may be revoked or suspended as provided in the Violations Penalties section of this Ordinance.

3-75. TRANSFERS. All licenses issued under this Ordinance shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of any license to another location or person shall be valid ~~without the prior approval of the Town Board.~~

Commented [PHLC17]: All licenses should be treated the same and require that all licensees undergo the full application process. The sentence allowing the board discretion in granting a license transfer would undermine the application process and necessary investigations to ensure the applicant meets all criteria.

1
LEAVE IN

~~6-1. To any person under the age of eighteen (18).~~

Commented [PHLC19]: This minimum legal sales age is moved to its own paragraph to allow inclusion of specific language to direct age verification and signage requirements, which assist with compliance.

~~6-1-12. By means of any type of vending machine, except as may otherwise be provided in this Ordinance.~~

~~6-1-24. By means of loosies as defined in Section 2 of this Ordinance.~~

~~6-1-35. Containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic, or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process.~~

~~6-1-46. By any other means, to any other person, or in any other manner or form prohibited by Federal, State or other local law, ordinance provisions, or other regulation.~~

~~6-2. LEGAL AGE. No person shall sell any licensed product to any person under the age of 21.~~

~~6-2-1. AGE VERIFICATION. Licensees must verify by means of government-issued photographic identification that the purchaser is at least 21 years of age. Verification is not required for a person over the age of 30. That the person appeared to be 30 years of age or older does not constitute a defense to a violation of this subsection.~~

~~6-2-2. SIGNAGE. Notice of the legal sales age and age verification requirement must be posted prominently and in plain view at all times at each location where licensed products are offered for sale. The required signage, which will be provided to the licensee by the town, must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase.~~

~~SECTION 7. VENDING MACHINES. It shall be unlawful for any person licensed under this Ordinance to allow the sale of tobacco, tobacco products, or tobacco related devices by the means of a vending machine.~~

Commented [PHLC20]: This section is not necessary because vending sales is prohibited in the previous section.

~~6-3. SECTION 8. SELF-SERVICE SALES. It shall be unlawful for a licensee under this Ordinance to allow the sale of tobacco, tobacco product, or tobacco related devices licensed products by any means whereby the customer may have access to such items without having to request the item from the licensee or the licensee's employee and whereby there is not a physical exchange of the tobacco, tobacco product, or the tobacco related device licensed product between the licensee or his or her clerk and the customer. All tobacco, tobacco products, and tobacco related devices licensed products shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit nor left open and accessible to the general public.~~

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occurred or finds grounds for not imposing any penalty, such finding shall be recorded and a copy provided to the acquitted accused violator.

102-5. APPEALS. Appeals of any decision made by the Town Board shall be filed at the Ramsey County District Court.

~~**12-6. MISDEMEANOR PROSECUTION.** Nothing in this Section shall prohibit the Town from seeking prosecution as a misdemeanor for any alleged violation of this Ordinance. If the Town elects to seek misdemeanor prosecution, no administrative penalty shall be imposed.~~

Commented [PHLC26]: Misdemeanor prosecution is addressed below in Section 13-4.

Commented [PHLC27]: if this paragraph remains it could be amended to remove this sentence which would allow for the Town to pursue BOTH criminal and administrative penalties. Both types of penalties should be an option to provide more incentive for retailers to comply with the law

102-67. CONTINUED VIOLATION. Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

SECTION 113. PENALTIES.

113-1. LICENSEES. Any licensee found to have violated this ordinance, or whose employee violated this ordinance, will be charged an administrative fine of [\$500] for a first violation; [\$750] for a second offense at the same licensed premises within a 36-month period; and [\$1,000] for a third or subsequent offense at the same location within a 36-month period. Upon the third violation, the license will be suspended for a period of not less than [30] consecutive days. Upon a fourth violation within a 36 month period, the license will be revoked. Any licensee found to have violated this Ordinance, or whose employee shall have violated this Ordinance, shall be charged an administrative fee of \$200.00 for a first violation of this Ordinance; \$400.00 for a second violation at the same licensed premises within a twenty-four month period; and \$600.00 for a third or subsequent offense at the same location within a twenty-four month period. In addition, after the third offense, the license shall be suspended for not less than seven days.

Commented [PHLC28]: This penalty language could be updated with longer look back periods between violations, higher penalties, longer suspension period and revocation of the license upon a fourth violation. Strong penalties help encourage compliance.

113-2. OTHER INDIVIDUALS. ~~Other individuals, other than minors~~ persons under age 21 regulated by Section 113-3 of this section, found to be in violation of this Ordinance, shall be charged an administrative fine of \$50.

113-3. MINORS PERSONS UNDER THE AGE OF 21. Persons under the age of 21 who use a false identification to purchase or attempt to purchase licensed products may only be subject to non-criminal, non-monetary civil penalties such as tobacco-related education classes, diversion programs, community services, or another penalty that the town determines to be appropriate. The Town Board of Supervisors will consult with court personnel, educators, parents, children and other interested parties to determine an appropriate penalty for persons under the age of 21 in the town. The penalty may be established by ordinance and amended from time to time.

Commented [PHLC29]: This language updates alternative penalties for underage persons who use false identification and is consistent with the goals of removing PUP penalties from the licensing ordinance.

Minors found in unlawful possession of, or who unlawfully purchase or attempt to purchase, tobacco, tobacco products, or tobacco-related devices, shall be referred to the White Bear Community Counseling Center.

DO NOT DELETE

DO NOT CHANGE

ORDINANCE NO. 69

AN ORDINANCE AMENDING ORDINANCE NO. 69 RELATING TO THE SALE OF TOBACCO, NICOTINE OR LOBELIA DELIVERY PRODUCTS, ELECTRONIC DELIVERY DEVICES, AND TOBACCO-RELATED DEVICES IN THE TOWN, AND TO REDUCE THE ILLEGAL SALE OF SUCH ITEMS TO PERSONS UNDER AGE 21 IN THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA

THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF WHITE BEAR ORDAINS:

SECTION 1. AMENDMENT AND APPEAL OF CONFLICTING ORDINANCES. The Tobacco Ordinance of the Town of White Bear (Township), Ramsey County, Minnesota, adopted December 5, 2011, as amended, and relating to the sale of tobacco, tobacco products, nicotine or lobelia delivery products, electronic delivery devices, and tobacco-related devices in the Town and to reduce the illegal sale of such items to persons under the age of 21, is hereby amended to be as follows, and all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed. In all other respects all other Ordinance shall remain in full force and effect.

SECTION 2. PURPOSE AND FINDINGS. Because the Town recognizes that the sale of commercial tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products to persons under the age of under the age of 21 violates federal law; and because studies, which the town accepts and adopts, have shown that youth use of any commercial tobacco product has increased to 26.4% in Minnesota; and because nearly 90% of smokers begin smoking before they have reached the age of 18 years, and that almost no one starts smoking after age 25; and because studies show that youth and young adults are especially susceptible to commercial tobacco product availability, advertising, and price promotions at tobacco retail environments; and because commercial tobacco use has been shown to be the cause of many serious health problems which subsequently place a financial burden on all levels of government, this ordinance is intended to regulate the sale of commercial tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products for the purpose of enforcing and furthering existing laws, to protect youth and young adults against the serious health effects associated with use and initiation, and to further the official public policy of the state to prevent young people from starting to smoke, as stated in Minn. Stat. § 144.391, as it may be amended from time to time.

In making these findings, the Town Board of Supervisors accepts the conclusions and recommendations of: the U.S. Surgeon General reports, *E-cigarette Use Among Youth and Young Adults* (2016), *The Health Consequences of Smoking — 50 Years of Progress* (2014) and *Preventing Tobacco Use Among Youth and Young Adults* (2012); the Centers for Disease Control and Prevention in their studies, *Tobacco Use Among Middle and High School Students — United States, 2011–2015* (2016), and *Selected Cigarette Smoking Initiation and Quitting Behaviors Among High School Students, United States, 1997* (1998); and of the following scholars in these scientific journals: Chen, J., & Millar, W. J. (1998). Age of smoking initiation: implications for quitting. *Health Reports*, 9(4), 39-46; D'Avanzo, B., La Vecchia, C., & Negri, E. (1994). Age at

starting smoking and number of cigarettes smoked. *Annals of Epidemiology*, 4(6), 455–459; Everett, S. A., Warren, C. W., Sharp, D., Kann, L., Husten, C. G., & Crossett, L. S. (1999). Initiation of cigarette smoking and subsequent smoking behavior among U.S. high school students. *Preventive Medicine*, 29(5), 327–333; Giovino, G. A. (2002). Epidemiology of tobacco use in the United States. *Oncogene*, 21(48), 7326–7340; Khuder, S. A., Dayal, H. H., & Mutgi, A. B. (1999). Age at smoking onset and its effect on smoking cessation. *Addictive Behaviors*, 24(5), 673–677; Luke, D. A., Hammond, R. A., Combs, T., Sorg, A., Kasman, M., Mack-Crane, A., Henriksen, L. (2017). Tobacco Town: Computational Modeling of Policy Options to Reduce Tobacco Retailer Density. *American Journal of Public Health*, 107(5), 740–746; Minnesota Department of Health. (2018). *Data Highlights from the 2017 Minnesota Youth Tobacco Survey*. Saint Paul, MN; Tobacco Control Legal Consortium. (2006). *The Verdict Is In: Findings from United States v. Philip Morris, The Hazards of Smoking*. University of California — San Francisco. Truth Tobacco Industry Documents, <https://www.industrydocumentslibrary.ucsf.edu/tobacco/>; Xu, X., Bishop, E. E., Kennedy, S. M., Simpson, S. A., & Pechacek, T. F. (2015) Annual healthcare spending attributable to cigarette smoking: an update. *American Journal of Preventive Medicine*, 48(3), 326–333, copies of which are adopted by reference.

SECTION 3. DEFINITIONS AND INTERPRETATIONS. Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The singular shall include the plural and the plural shall include the singular. The masculine shall include the feminine and the neuter, and vice-versa. The term “shall” means mandatory and the term “may” mean permissive. The following terms shall have the definitions given to them:

3-1. TOBACCO. “Tobacco” shall mean any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product including but not limited to cigarettes; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. TOBACCO does not include any product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

3-2. TOBACCO RELATED DEVICES. “Tobacco-related devices” means any rolling papers, wraps, pipes, or other device intentionally designed or intended to be used with tobacco products. tobacco-related device includes components of tobacco-related devices or tobacco products, which may be marketed or sold separately. tobacco-related devices may or may not contain tobacco.

3-3. NICOTINE OR LOBELIA DELIVERY PRODUCTS. “Nicotine or lobelia delivery products” shall mean Any product containing or delivering nicotine or lobelia intended for human consumption, or any part of such a product, that is not a tobacco or an electronic delivery device as defined in this section. nicotine or lobelia delivery

product does not include any product that has been approved or otherwise certified for legal sale by the U.S. Food and Drug Administration as a tobacco-cessation product, a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

3-4. SELF-SERVICE DISPLAY. “Self-service display” shall mean the open display of licensed products in any manner where any person has access to the licensed products without the assistance or intervention of the licensee or the licensee’s employee.

3-5. VENDING MACHINE. “Vending Machine” shall mean any mechanical, electric or electronic, or other types of device which dispenses licensed products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the licensed products.

3-6. LOOSIES. “Loosies” shall mean the common term used to refer to single cigarettes, cigars, and any other licensed product that have been removed from their original retail packaging and offered for sale. Loosies does not include premium cigars that are hand-constructed, have a wrapper made entirely from whole tobacco leaf, and have a filler and binder made entirely of tobacco, except for adhesives or other materials used to maintain size, texture, or flavor.

3-7. SMOKING. “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking also includes carrying or using an activated electronic delivery device.

3-8. RETAIL ESTABLISHMENT. “Retail Establishment” shall mean any place of business where licensed products are available for sale to the general public. Retail establishments shall include, but not be limited to, grocery stores, convenience stores, and restaurants.

3-9. MOVABLE PLACE OF BUSINESS. “Movable Place of Business” shall refer to any form of business operated out of a kiosk, truck, van, automobile, or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions.

3-10. SALE. A “Sale” shall mean any transfer of goods for money, trade, barter, or other consideration.

3-11. COMPLIANCE CHECKS. “Compliance Checks” shall mean the system the Town uses to investigate and ensure that those authorized to sell licensed products are following and complying with the requirements of this Ordinance. Compliance checks shall involve the use of persons under the age of 21 as authorized by this Ordinance. Compliance checks shall also mean the use of persons under the age of 21 who attempt to purchase licensed products for educational, research and training purposes as authorized by State and Federal laws. Compliance checks may also be

conducted by other units of government for the purpose of enforcing appropriate Federal, State, or local laws and regulations relating to licensed products.

3-12. INDOOR AREA. All space between a floor and a ceiling that is bounded by walls, doorways or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent.

3-13. LICENSED PRODUCTS. "Licensed products" is the term that collectively refers to any tobacco, tobacco-related device, electronic delivery device, or nicotine or lobelia delivery product.

3-14. ELECTRONIC DELIVERY DEVICE. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic delivery device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified by the U.S. Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.

3-15. CIGAR. "Cigar: means any roll of tobacco that is wrapped in tobacco leaf or in any other substance containing tobacco, with or without a tip or mouthpiece, which is not a cigarette as defined in Minn. Stat. § 297F.01, subd. 3, as may be amended from time to time.

SECTION 4. LICENSE. No person shall sell or offer to sell any licensed products without first having obtained a license to do so from the Township.

4-1. SMOKING. Smoking shall not be permitted and no person shall smoke within the indoor area of any establishment with a retail tobacco license. Smoking for the purposes of sampling licensed products is prohibited.

4-2. PROXIMITY TO OTHER RETAILERS. No license shall be granted pursuant to this section to any person for any retail sales of licensed products, within two thousand feet of any other establishment holding such license, as measured by the shortest line between the space to be occupied by the proposed licensee and the occupied space of the nearest existing licensee, unless that person has been in the business of selling such products in that location before the date this section was enacted into law for at least one year and that location has not failed to renew its license.

4-3. APPLICATION. An application for a license to sell licensed products shall be made on a form provided by the Township. The application shall contain the full

name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the Township deems necessary. Upon receipt of a completed application, the Town Clerk shall forward the application to the Town Board for action at their next regularly scheduled meeting. If the Town Clerk shall determine that an application is incomplete, he shall return the application to the applicant with notice of the information necessary to make the application complete.

4-4. ACTION. The Town Board may either approve or deny the license, or it may delay action for such reasonable period of time as necessary to complete any investigation of the application or the applicant, as it deems necessary.

4-5. TERM. All licenses issued under this Ordinance shall expire on December 31st of the year issued.

4-6. REVOCATION OR SUSPENSION. Any license issued under this Ordinance may be revoked or suspended as provided in the Violations Penalties section of this Ordinance.

4-7. TRANSFERS. All licenses issued under this Ordinance shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of any license to another location or person shall be valid without the prior approval of the Town Board.

4-8. MOVABLE PLACE OF BUSINESS. No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this Ordinance.

4-9. DISPLAY. All licenses shall be posted and displayed in plain view of the general public on the licensed premise.

4-10. RENEWALS. The renewal of a license issued under this section shall be handled in the same manner as the original application. The request for a renewal shall be made at least thirty (30) days, but no more than sixty (60) days before the expiration of the current license. The issuance of a license under this Ordinance shall be considered a privilege and not an absolute right of the applicant, and shall not entitle the holder to an automatic renewal of the license.

SECTION 5. FEES. No license shall be issued under this Ordinance until the appropriate license fees shall be paid in full. The fees for this license are as set forth in Ordinance No. 54 (Fees & Charges).

SECTION 6. BASIS FOR DENIAL OF LICENSE. The following shall be grounds for denying the issuance or renewal of a license under this Ordinance; however, except as may otherwise be provided by law, the existence of any particular ground for denial does not mean that the Township must deny the license. If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this section.

6-1. The applicant is under the age of twenty-one (21) years.

6-2. The applicant has been convicted within the past five (5) years of any violation of a Federal, State, or local law, ordinance provision, or other regulation relating to licensed products.

6-3. The applicant has had a license to sell licensed products revoked within the preceding twelve months of the date of application.

6-4. The applicant fails to provide any information required on the application, or provides false or misleading information.

6-5. The applicant is prohibited by Federal, State or other local law, ordinance, or other regulation, from holding such a license.

SECTION 7. PROHIBITED SALES.

7-1. IN GENERAL. It shall be a violation of this Ordinance for any person to sell or offer to sell any licensed product:

7-1-1. By means of any type of vending machine.

7-1-2. By means of loosies as defined in Section 2 of this Ordinance.

7-1-3. Containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic, or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process.

7-1-4. By any other means, to any other person, or in any other manner or form prohibited by Federal, State or other local law, ordinance provisions, or other regulation.

7-2. LEGAL AGE. No person shall sell any licensed product to any person under the age of 21.

7-2-1. AGE VERIFICATION. Licensees must verify by means of government-issued photographic identification that the purchaser is at least 21 years of age. Verification is not required for a person over the age of 30. That the person appeared to be 30 years of age or older does not constitute a defense to a violation of this subsection.

7-2-2. SIGNAGE. Notice of the legal sales age and age verification requirement must be posted prominently and in plain view at all times at each location where licensed products are offered for sale. The required signage, which will be provided to the licensee by the town, must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase.

7-3. SELF-SERVICE SALES. It shall be unlawful for a licensee under this Ordinance to allow the sale of licensed products by any means whereby the customer may have access to such items without having to request the item from the licensee or the licensee's employee and whereby there is not a physical exchange of the licensed product between the licensee or his or her clerk and the customer. All licensed products shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit nor left open and accessible to the general public.

SECTION 8. RESPONSIBILITY. All licensees under this Ordinance shall be responsible for the actions of their employees in regard to the sale of licensed products on the licensed premises, and the sale of such an item by an employee shall be considered a sale by the license holder. Nothing in this section shall be construed as prohibiting the Township from also subjecting the clerk to whatever penalties are appropriate under this Ordinance, State or Federal law, or other applicable law or regulation.

SECTION 9. COMPLIANCE CHECKS AND INSPECTIONS. All licensed premises must be open to inspection by law enforcement or other authorized town officials during regular business hours. From time to time, but at least [twice] per year, the town will conduct compliance checks. In accordance with state law, the town will conduct [at least one compliance check that involves the participation of two persons: one person between the ages of 15 and 17 and one person between the ages of 18 and 20] [at least one compliance check that involves the participation of a person between the ages of 15 and 17 and at least one compliance check that involves the participation of a person between the ages of 18 and 20] to enter licensed premises to attempt to purchase licensed products. Prior written consent is required for any person under the age of 18 to participate in a compliance check. Persons used for the purpose of compliance checks will be supervised by law enforcement or other designated personnel.

SECTION 10. OTHER PROHIBITED ACTS. Unless otherwise provided, the following acts shall be a violation of this Ordinance.

10-1. PROHIBITED FURNISHING OR PROCUREMENT. It is a violation of this ordinance for any person 21 years of age or older to purchase or otherwise obtain any licensed product on behalf of a person under the age of 21. It is also a violation for any person 21 years of age and older to coerce or attempt to coerce a person under the age of 21 to illegally purchase or attempt to purchase any licensed product.

10-2. USE OF FALSE IDENTIFICATION. It shall be a violation of this Ordinance for any person under the age of 21 to attempt to disguise his or her true age by the use of false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent and age older than the actual age of the person.

SECTION 11. VIOLATIONS.

11-1. NOTICE. Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail, a citation that sets forth the alleged

violation and which shall inform the alleged violator of his or her right to be heard on the accusation.

11-2. HEARINGS. If a person accused of violating this Ordinance so requests, a hearing shall be scheduled, the time and place of which shall be published and provided to the accused violator.

11-3. HEARING OFFICER. The Town Board shall serve as the hearing officer.

11-4. DECISION. If the Town Board determines that a violation of this Ordinance did occur, that decision, along with the Town Board's reasons for finding a violation and the penalty to be imposed under Section 13 of this Ordinance, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the Town Board finds that no violation occurred or finds grounds for not imposing any penalty, such finding shall be recorded and a copy provided to the acquitted accused violator.

11-5. APPEALS. Appeals of any decision made by the Town Board shall be filed at the Ramsey County District Court.

11-6. MISDEMEANOR PROSECUTION. Nothing in this Section shall prohibit the Town from seeking prosecution as a misdemeanor for any alleged violation of this Ordinance. If the Town elects to seek misdemeanor prosecution, no administrative penalty shall be imposed.

11-7. CONTINUED VIOLATION. Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

SECTION 12. PENALTIES.

12-1. LICENSEES. Any licensee found to have violated this Ordinance, shall be charged an administrative fee of \$200.00 for a first violation of this Ordinance; \$400.00 for a second violation at the same licensed premises within a twenty-four month period; and \$600.00 for a third or subsequent offense at the same location within a twenty-four month period. In addition, after the third offense, the license shall be suspended for not less than seven days.

12-2. OTHER INDIVIDUALS. Individuals, other than persons under age 21 regulated by Section 11-3 of this section, found to be in violation of this Ordinance, shall be charged an administrative fine of \$50.

12-3. PERSONS UNDER THE AGE OF 21. Persons under the age of 21 who use a false identification to purchase or attempt to purchase licensed products may only be subject to non-criminal, non-monetary civil penalties such as tobacco-related education classes, diversion programs, community services, or another penalty that the town determines to be appropriate. The Town Board of Supervisors will consult with court personnel, educators, parents, children and other interested parties to determine an appropriate penalty for persons under the age of 21 in the town. The penalty may be established by ordinance and amended from time to time.

12-4. MISDEMEANOR. Nothing in this Section shall prohibit the Town from seeking prosecution as a misdemeanor for any alleged violation of this Ordinance by a person 21 years of age or older.

SECTION 13. EXCEPTIONS AND DEFENSES. Nothing in this Ordinance shall prevent the providing of tobacco, tobacco products, or tobacco related devices to a person under the age of 21 as part of a lawfully recognized religious, spiritual, or cultural ceremony. It shall be an affirmative defense to the violation of this Ordinance for a person to have reasonably relied on proof of age as described by State law.

SECTION 14. SEVERABILITY. Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part held to be invalid.

SECTION 15. EFFECTIVE DATE. The Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, this 15th day of June, 2020.

APPROVED:

ED M. PRUDHON, Chair

ATTEST:

PATRICK CHRISTOPHERSON, Town Clerk

Board of Supervisors:
ED M. PRUDHON, Chair
STEVEN A. RUZEK, Supervisor
SCOTT E. MCCUNE, Supervisor

Synopsis Published in the White Bear Press June 24, 2020.

Historical Notes

2020

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 passed on June 15, 2020, and effective June 24, 2020 by Prudhon (Chair), Ruzek and McCune; Christopherson (Clerk).

2011

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 passed on December 5, 2011, and effective January 11, 2012 by Mample (Chair), Kermes and Prudhon; Short (Clerk).

2010

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 passed on December 20, 2010, and effective January 26, 2011 by Sand (Chair), Mample and Kermes; Short (Clerk).

Ordinance, Title and Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 originally passed December 1, 1997, and effective December 17, 1997 by Weisenburger (Chair), Sand and Ford; Short (Clerk).



Public Notice Ordinance No. 69

An Ordinance Amending Ordinance No. 69 Relating to the Sale of Tobacco, Nicotine or Lobelia Delivery Products, Electronic Delivery Devices and Tobacco-Related Devices

The above described Ordinance which relates to the sale of tobacco, nicotine or lobelia delivery products, electronic delivery devices and tobacco-related devices in the Town of White Bear was amended on June 15, 2020. The following list summarizes the changes to the Ordinance.

- Section 1. States that this ordinance was amended and shall read as follows.
- Section 2. Sets forth the purpose of the Ordinance.
- Section 3. Defines various words and phrases used in the Ordinance.
- Section 4. States that a license is required by the Township in order to sell any licensed products.
- Section 5. States that the license fees are set out in Ordinance No. 54 (Fees & Charges).
- Section 6. Establishes the criteria for denying a license.
- Section 7. Outlines the items which persons are prohibited from selling.
- Section 8. States that all licensees shall be responsible for the actions of their employees in the selling of licensed products.
- Section 9. States all licensed premises must be open to inspection by law enforcement or other authorized Town officials.
- Section 10. Outlines other prohibited acts.
- Section 11. Establishes the violation procedures.
- Section 12. Sets forth the penalties for violation of the Ordinance.
- Section 13. Sets forth exceptions and defenses as they pertain to this Ordinance.

Section 14. States that if any such part of this Ordinance is held to be invalid, it shall not affect the validity of the Ordinance as a whole.

Section 15. Establishes the effective date of this Ordinance.

A copy of this Ordinance is available for review at the Town Administrative Office, 1281 Hammond Road, White Bear Township, Minnesota. This Ordinance becomes effective upon publication of this summary.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Clerk-Treasurer

Board of Supervisors:
ED M. PRUDHON, Chair
STEVEN A. RUZEK, Supervisor
SCOTT E. MCCUNE, Supervisor

Published in the White Bear Press on June 24, 2020.

EXTRACT OF MINUTES OF MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON JUNE 15, 2020

Pursuant to due call and notice thereof, a Special meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on June 15, 2020 at 7:00 p.m.

The following members were present: Prudhon, Ruzek, McCune; and the following members were absent: None.

Supervisor Ruzek introduced the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING PUBLICATION OF THE
TITLE AND SUMMARY OF AMENDMENTS TO
ORDINANCE NO. 69 (TOBACCO)**

WHEREAS, the Town Board of Supervisors have made various amendments to Ordinance No. 69 (Tobacco) of the Town of White Bear,

AND WHEREAS, the amendments to Ordinance No. 69 (Tobacco) have been summarized,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA:

That the title and summary of Ordinance No. 69 (Tobacco) clearly informs the public of the intent and effect of the changes in the Ordinance.

That the Town Clerk is hereby authorized in accordance with Minnesota Statutes, Section 368.01, Subd. 21, to publish the title and summary of Ordinance No. 69 (Tobacco), and to also advise that a copy of the Ordinance is available for inspection at the Town Offices.

The motion for the adoption of the foregoing Resolution was duly seconded by Supervisor McCune, and upon vote being taken thereon, the following voted in favor thereof: Prudhon, Ruzek, McCune; and the following voted against the same: None.

Whereupon said Resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) ss.
)
TOWN OF WHITE BEAR)

I, the undersigned, being the duly qualified and acting Clerk of the Town of White Bear, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the attached and foregoing Extract of Minutes of a Special meeting of the Town Board of the Town held on the 15th day of June, 2020, with the original on file in my office, and that the same is a full, true and complete transcript therefrom, insofar as the same relates to a Resolution relating to Ordinance No. 69 (Tobacco).

WITNESS my hand as such Clerk and the Town Clerk's Seal this 15th day of June, 2020.

TOWN CLERK, TOWN OF WHITE BEAR, MINN.



Town Board Meeting June 15, 2020

Agenda Number: 6.B – Old Business

Subject: **Emergency Management Team Report:**

1. Ramsey County COVID 19 Incident Management.
2. Contract Group Update.
3. Attorney Update.
4. Operations Logistics/Administrative Offices.

Documentation: None

Action / Motion for Consideration:

Receive Memo / Discuss

Minutes
Town Board Meeting
June 1, 2020

EMERGENCY MANAGEMENT TEAM REPORT:

1. Ramsey County COVID-19 Incident Management: The Town Clerk reported that at the most Ramsey County meeting, the COVID-19 discussion was secondary to the riots and protests in Minneapolis and Saint Paul and civil safety discussion.

2. Contract Group Update: The Contract Group did not meet. / There are no updates.

3. Attorney Update: The Town Attorney noted that nothing has changed since the Governor has reopened municipalities and Town committees can meet in-person.

4. Operations Logistics/Administrative Offices/Public Works – Rescind Resolution Declaring Civil Emergency: The Town Clerk reported that the Town opened to the public on Monday, June 1st. He reported that there was very light traffic and that social distancing landmarks are placed throughout the Administrative Offices. The day went pretty well. There was discussion on what rescinding would do: it would be one step closer to normal, it would affect remote meetings due to the open-meeting law. There was some discussion on commissions, like Public Safety and Utility. There was some discussion on meeting at Heritage Hall on nights when the City of Gem Lake isn't using the facility. The Town would clean up after each meeting. It was noted that 1 member (the Town Clerk) could be present at the offices and all member can call in to the meeting, if they don't feel comfortable meeting. But the Board would prefer in-person meetings begin as soon as possible, because in-person

meetings will have to happen sometime. There was some discussion on Zoom meetings. Staff will coordinate meetings accordingly, and in-person cases, social distancing precautions will be followed.

McCune moved to rescind resolution declaring civil emergency originally passed March 16, 2020. Ruzek seconded. Ayes all.

Ruzek made the motion to keep the emergency management team in place to review again in 30 days for rescission. McCune seconded. Ayes all.



**Town Board Meeting
June 15, 2020**

Agenda Number: 7.A – Public Hearings

Subject: Conditional Use Permit Request @ Tamarack Nature Center, 5287 Otter Lake Road – Call Public Hearing for Monday, June 15, 2020 @ 7:00 p.m. to Consider a Conditional Use Permit Request to Allow Parking Lot, Site, & Building Improvements

Documentation: Staff Memo w/attachments / Public Notice / Affidavit of Publication / Resident Letter & Mailing List / Conditional Use Permit Application / Proposed Conditional Use Permit / Zoning Certificate / Requirements
** Plans Send Separately via Drop Box

Action / Motion for Consideration:

- Note Proper Publication of the Hearing Notice in Newspaper & Waive Reading of Notice
- Open Public Hearing
- Open Public Comment Portion – Ask for Comments
- Close Public Portion of Hearing

Based on Planning Commission & Staff Review & Recommendation Approve the Conditional Use Permit, Zoning Certificate & Requirements for the Tamarack Nature Center, 5287 Otter Lake Road

Minutes
Planning Commission Meeting
June 3, 2020

RAMSEY COUNTY PARKS & RECREATION, 5287 OTTER LAKE ROAD – REQUEST FOR A CONDITIONAL USE PERMIT TO CONSTRUCT SEVERAL IMPROVEMENTS AT THE TAMARACK NATURE CENTER: The Town Planner summarized the Ramsey County parks and Recreation proposal for the master plan of Tamarack Nature Center. The first proposed improvements at Tamarack were approved by the Town Board in the 1980s. Most recently though Ramsey County is requesting approval of a Conditional Use Permit for the following site improvements: finishing improvements to the parking lots; improving safety, security, and comfort for year-round visitors;

complete the main building renovation and incorporate the programming building into the main visitor center; and renovation of existing visitor center structure; completing accessibility and code compliance updates.

Ryan Ries, Facilities and Sustainability Director for Ramsey County Parks and Recreation was present to answer any questions about this agenda item. The Planning Commission appreciated the master plan, and felt it encompasses the whole campus and shows thoughtful long-term planning. There was a question of whether or not the approval today would be the approval of all phases. It was noted that yes, it would approve all phases unless something changed.

Swisher motioned to approve the request for a Conditional Use Permit to construct the proposed improvements at the Tamarack Nature Center. Artner seconded. Ayes all.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: SITE IMPROVEMENTS

REQUEST: APPROVAL OF A CONDITIONAL USE PERMIT
LOCATION: TAMARACK NATURE CENTER, 5287 OTTER LAKE ROAD

APPLICANTS: RAMSEY COUNTY
ZONING: O.S. – OPEN SPACE
PUBLIC HEARING: REQUIRED

Ramsey County Parks staff is working on additional improvements at the Tamarack Nature Center property located on Otter Lake Road. First approved by the Town in the 1980's, Ramsey County has proposed and received several Conditional Use Permits allowing improvements to the Nature Center property. Most recently they included an addition to the Nature Center building and several site improvements including relocating the entrance to the site and relocating and adding parking.

Ramsey County is currently requesting approval of a Conditional Use Permit which will allow the following site improvements:

- Finishing improvements to the parking lots and circulation to accommodate the current users
- Improving safety, security and comfort for your year round visitors
- Complete the main building renovation and incorporate the programing building into the main visitor center
- Renovation of existing visitor center structure
- Completing accessibility and code compliance updates
- The specific project elements and timeline for completion are attached in the letter from Ramsey County

A Conditional Use Permit must be approved to complete the project as proposed. The following standards set forth by Section 9-4.4(a) of Ordinance No. 35 must be reviewed by the Town and if met, the Conditional Use Permit can be approved.

The required standards are as follows:

9-4.4(a). The proposed use shall be planned, designed, constructed and maintained to avoid:

- (1). Unnecessary detracting from the appearance of adjacent properties or from the Town as a whole.
- (2). Aesthetic incompatibility.
- (3). Aural Incompatibility.
- (4). Damage to vegetation.
- (5). Traffic pattern incompatibility.
- (6). Erosion of soil.
- (7). Unnecessary loss of existing natural features (vegetation, steep slopes, wetlands, water bodies).
- (8). Increased flood potential.

9-4.4(b). The proposed use shall meet all reasonable requirements, as set forth by the Town Board, in order to protect the health, safety and welfare of the Town. Uses proposed for "O-S" Open Space districts shall provide for a level of police protection and civilian supervision as set forth by the Town Board to ensure supervision and maintenance of said districts.

9-4.4(c). Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters and Town Board shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

9-4.4(d). The proposed use shall bear the cost of all additional water availability (W.A.C.) charges, pursuant to Ordinance No. 12 (Regulating Use of Water), and sewer availability (S.A.C.) charges, pursuant to Ordinance No. 36 (Sewer Service Availability and Charges), where the proposed use expands upon a pre-existing use.

9-4.4(e). The proposed use shall not result in the destruction, loss or damage of a natural, scenic, environmental or historic feature of the Town.

9-4.4(f). The proposed use shall not depreciate the value of adjacent properties.

9-4.4(g). The proposed use shall be sited, oriented, designed, landscaped and maintained to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.

9-4.4(h). The proposed use shall organize vehicular access and parking to minimize traffic congestion to adjacent properties.

9-4.4(i). The proposed use shall preserve and incorporate the site's natural and scenic features into the development design.

9-4.4(j). The proposed use shall have no negative impact of noise, glare or odor effects on adjacent properties.

9-4.4(k). The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the policy and plan recommendations of the Comprehensive Plan.

The Nature Center plans include improvements to the site planned for several years into the future. The proposed plans/master plan for build out of the site has been requested by the Town and will be used by County staff to apply for grant funding.

The plans as proposed appear to meet the standards set forth by the Zoning Ordinance to approve a Conditional Use Permit.

If recommended for approval, the following are recommended as conditions for approval:

- Recommendations from the Town's Environmental Engineer
- Recommendations from the Town's Fire Inspector

TR/psw
cc:admin/add.file
b:tamarack20



Building a Better World
for All of Us®

MEMORANDUM

TO: Tom Riedesel, Township Planner
White Bear Township

FROM: Emily Jennings, PE (Lic. MN)
SEH

DATE: May 22, 2020

RE: Tamarack Nature Center - White Bear Township
SEH No. WHBRT 145109 14.00

Following a discussion via telephone on May 21, 2020 with Gus Blumer, Landscape Architect for Ramsey County Parks and Recreation and follow up conversation with Tom Riedesel, Township Planner for White Bear Township, the following 'next steps' have been identified for the Tamarack Nature Center Expansion. The Tamarack Nature Center Expansion projects are in a preliminary phase and final design has not yet been initiated at this time. Mr. Blumer indicated that the County is looking to obtain a CUP in order to begin their pursuit for funding of the expansion projects. Final design would be initiated following the identification of a funding source.

Next Steps

1. As the plans included with the CUP Application indicate that the project is planning for appropriate stormwater management, including volume control, water quality, and rate control, there are no concerns as related to stormwater in issuing the CUP at this time.
2. It is recognized that the further information will be available when final design is initiated. In order to fulfill the Township's review requirements as mandated by their MS4 permit, a future stormwater and environmental review and approval will be required prior to any land disturbing activities.

Please reach out with any questions or concerns.

EKJ

Attachments

Tamarack Nature Center – White Bear Township May 19, 2020

c: Brad Woznak, PE

S:\UZ\WW\hbrt\145109\5-final-dsgn\50-final-dsgn\50-Hydro\Development Reviews\Tamarack Nature Center\Reviews

Engineers | Architects | Planners | Scientists

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MEMORANDUM

TO: Tom Riedesel

FROM: Emily Jennings, PE (Lic. MN)

DATE: May 19, 2020

RE: Tamarack Nature Center - White Bear Township
SEH No. WHBRT 145109 14.00

BACKGROUND

At your request, we have reviewed Tamarack Nature Center Stormwater Memo and HydroCAD Report dated 3/26/2020 and Civil Plans dated April 2020 for the proposed construction activities located at 5287 Otter Lake Road, as included in the Conditional Use Permit Application Submittal dated April 1st, 2020.

STORMWATER MANAGEMENT REQUIREMENTS

The Township's Local Water Management Plan has adopted the policies of the Vadnais Lake Area Watershed Management Organization (VLAWMO) and requires compliance with their policies for stormwater management. In addition to local regulations, the project must be in compliance with the Township's Ordinance No. 87 Stormwater Management and the Minnesota Pollution Control Agency's (MPCA) NPDES Construction Stormwater Permit. The following criteria are applicable to the proposed project:

- **Rate Control.** The proposed project shall not increase the peak stormwater runoff rate from the site for the 2, 10, and 100-yr, 24-hr precipitation design events.
- **Volume Retention.** The MPCA requires a water quality volume (WQV) of one inch of runoff from the new impervious surfaces created by the project to be retained onsite. VLAWMO and White Bear Township requires onsite retention of 1.1 inches of runoff from the new and/or fully reconstructed impervious.
- **Water Quality.** For those projects where infiltration is prohibited other methods of volume retention shall be considered and the WQV must be treated by a wet sedimentation basin, filtration system, regional ponding or equivalent methods. White Bear Township requires design practices for new construction to provide an 80% sediment reduction from a one-year, 24-hour storm event.
- **Freeboard.** White Bear Township requires a minimum of 3 feet of freeboard above the 100-year, 24-hour storm event of water bodies or graded areas that create ponded conditions with a piped outlet to the low opening elevation of a structure.

REVIEW COMMENTS

1. General Stormwater Notes
 - a. Include information on the overall disturbed area and existing and proposed impervious areas in stormwater narrative. It is assumed that this project is part of a common plan of development.
 - b. Update the Stormwater Memo to include information required by the Township's Ordinance No. 87 Stormwater Management, Section 5-1.2, including:

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- i. (5) Names and addresses of the record owner, developer, land surveyor, engineer, designer of the plat, and any agents, contractors, and subcontractors who will be responsible for project implementation.
 - ii. (6) Include a maintenance plan and schedule for all permanent stormwater practices. Include information in the on which entity is responsible for long term maintenance of the project.
 - iii. (7) Include information in the stormwater narrative on phasing of construction with estimated start date, time frames and schedules for each construction phase, and completion date.
2. Water Quality
 - a. Include details for pretreatment planned at all BMP locations as required by Item 16.6 of the MPCA's NPDES Construction Stormwater Permit.
 - b. Provide details for the infiltration and parking lot treatment areas, including outlet structures.
3. SWPPP
 - a. A SWPPP was not included with the submittal. Prepare and submit a SWPPP to meeting the requirements of Township's Ordinance No. 87 Stormwater Management (Section 5-1.2.) and the MPCA's NPDES Construction Stormwater Permit.
4. Erosion and Sediment Control
 - a. The Erosion and Sediment Control Plan should include temporary BMPs as required by the MPCA and Township. Silt fence is included in the legend however the locations are not clear on the plans.
 - b. Relevant notes, phasing plans and other temporary BMPs to protect the infiltration and pervious parking lot during construction and prior to final stabilization should be included in the Erosion and Sediment Control Plan and any phasing plan, as required by Items 16.4 and 16.5 MPCA's NPDES Construction Stormwater Permit.
 - c. Include energy dissipation at all storm sewer outlets and BMP area outlets.
5. Soil investigation
The Geotechnical Evaluation completed by Braun Intertec and dated November 19, 2019 was reviewed. Comments include:
 - a. As required by the MPCA's NPDES Construction Stormwater Permit, Item 16.10, Permittees must provide at least one soil boring, test pit or infiltrometer test in the location of the infiltration practice for determining infiltration rates. There are several soil borings, however it appears as if there are not soil borings in the locations of BMP 2 and the pervious parking lot area. Additional or future soil investigation will be required to complete final design.
6. HydroCAD Model and Rate Control
 - a. The HydroCAD model demonstrates that rate control requirements have been met.
7. Wetlands
 - a. As indicated by the CUP Submittal, there are no wetlands impacted with this project. Documentation of a no-loss from VLAWMO was included with the CUP Submittal.

RECOMMENDATIONS

Preliminary plans were included with this submittal. It is recommended that a future cursory review of the final plans for each area be reviewed prior to commencing land disturbing activities. Additionally, as the project is planned to be built in phases as funding is available, it is recommended that the site continue to demonstrate

Tamarack Nature Center - White Bear Township
May 19, 2020
Page 3

stormwater compliance through each phase and at no time should construction of any area precede the planned BMP for that area.

EKJ

c: Brad Woznak, PE

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White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

May 5, 2020

Ramsey County Parks and Recreation
2015 Van Dyke St.
Maplewood, MN 55109

RE: General Building Plan Review

Project: Tamarack Nature Center
5271 Otter Lake Road

The plans for the above project have been reviewed. Please review the comments listed below and let me know if you have any questions.

Specific Comments

- For all Fire related questions or inspections, please call (651) 762-4842.



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

General Comments

1. All roads and drive lane shall meet the White Bear Lake Fire Department requirements for widths and turning radiuses. Provide a layout showing White Bear Lake Fire Apparatus turning radius overlay on drive lanes.
2. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
3. The fire sprinkler system shall be installed compliant with provisions of 2016 NFPA Standard 13, Installation of Sprinkler Systems. City permit required **prior** to initiation of work. Building details shall be provided to determine if applicable.
4. The sprinkler system shall be current on annual inspection and testing. Any deficiencies noted during those reports shall be corrected.
5. The fire alarm system, shall be installed compliant with provisions of 2016 NFPA Standard 72, National Fire Alarm Code. City permit required **prior** to initiation of work.
6. The sprinkler system shall be properly monitored by a qualified monitoring company.
7. Install emergency egress illumination in the means of egress including exit discharge compliant with 2015 MSFC.
8. Install compliant exit signage as required by the 2015 MSFC.
9. Provide and install dry chemical fire extinguishers certified for service and tagged as required. Service classification rating shall be a minimum 2A classification rating and maximum travel distance of 75 feet to extinguishers. The minimum classification rating may be upgraded for special or extra hazard areas within the occupancy.
10. Provide information concerning combustible interior finish materials used for this project. Interior finish materials shall be classified as required by 2015 MSFC as to flame spread and smoke development characteristics. Interior wall and ceiling finish shall have a flame spread index not greater than that specified in 2015 MSFC for the group of proposed occupancy and location of interior finish. Please furnish product specification sheets listing this information.
11. The required fire-resistance rating of rated construction shall be maintained. Openings through rated construction for the passage of wiring, sleeves, conduit, piping, etc. shall be protected by repair with approved materials which maintains the rating of the construction damaged, altered, breached or penetrated.



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

12. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

Codes and Standards Used for this Review

- ❖ This review is based on the following codes and standards as adopted and in effect in the State of Minnesota at the time of plan submittal.
 - 2020 Minnesota State Fire Code
 - NFPA 72, 2016 edition
 - NFPA 13, 2016 edition

Thank You,

A handwritten signature in cursive script that reads "Kurt Frison".

Kurt Frison
Assistant Fire Chief / Fire Marshal
(651) 762-4842



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

UNIT	TOTAL LENGTH	CENTER WHEEL TO CENTER WHEEL (CENTER OF FURTHEST REAR AXEL)	FRONT WHEEL CENTER TO FRONT BUMPER	REAR WHEEL CENTER TO REAR BUMPER
AMBULANCE	276"	160"	38"	82"
L914	474.5"	237"	97"	108.5"
E925	403"	195"	98"	110"
R923	432"	218"	102"	112"
T916	422"	263"	70"	94"
L812	480"	276"	84"	126"



April 1st, 2020

Tom Riedesel, Planner
White Bear Township
1281 Hammond Road
White Bear Township, MN 55110

RE: Tamarack Nature Center Final Phase Project – CUP Review Application

Dear Mr. Riedesel:

Ramsey County Parks and Recreation Department (RCPRD) appreciates the opportunity to submit a CUP application for White Bear Township review and approval for the Tamarack Nature Center Final Phase Project. Construction for a portion of the work is scheduled to begin late summer 2020, with the remaining work to be constructed in the near future, dependent on the timing of funding. This project represents the remaining projects work that was master planned in 2008.

RCPRD is looking forward to working with you and White Bear Township staff on this project. If you have any questions or require additional information please do not hesitate to call me at 651-748-2500, extension 334.

Sincerely,



B. Gus Blumer, ASLA, LEED AP
Landscape Architect

Enclosure: (15) CUP applications and supporting documentation



Application Table of Contents

1. Application
2. Cover Letter
3. Project Narrative
4. Memo from Ramsey County Public Works on Otter Lake Road
5. Project Location
6. White Bear Township Land-use Plan
7. Area Wetlands
8. Site specific wetlands and floodplain
9. VLAWMO No-Wetland Impact Confirmation
10. Stormwater calculation summary memo
11. Stormwater calcs/hydro-cad reports (Digital Only)
12. Certificates of Survey (3) sheets (24x36 and 11x17)
13. Illustrative Site Plan (24x36 and 11x17)
14. Preliminary Site Plans (24x36 and 11x17)
15. Preliminary Grading Plans (24x36 and 11x17)
16. Landscape Restoration and Tree Removal Plans (24x36 and 11x17)
17. Preliminary Site Lighting Plans (24x36 and 11x17)
18. Utility Plans (24x36 and 11x17)
19. Programming building and main building remodel plans (24x36 and 11x17)
20. Garden House remodel plans (24x36 and 11x17)
21. Sugar Shack replacement plans (24x36 and 11x17)
22. Large Shelter Plans and Photo examples (24x36 and 11x17)
23. Geotechnical report with soil borings (Digital Only)
24. Site lighting product literature (Digital Only)



Tamarack Nature Center Campus Site Redesign Project – Project Narrative

Introduction

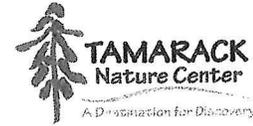
Ramsey County Parks and Recreation Department (RCPRD) is continuing to pursue funding to complete the final phase of design and construction for the master planned features at Tamarack Nature Center located in White Bear Township. The existing infrastructure does not meet the current user demand, presents safety concerns, and needs upgrades to meet ADA requirements. The following will provide a history of the facility, outline the growth of users, and explain the proposed design which has been submitted for White Bear Township approval.

Tamarack Nature Center - *Helping people discover the value of nature through play, inquiry, exploration and service.*

Tamarack Nature Center (TNC) is a 320-acre park preserve located within Bald Eagle-Otter Lakes Regional Park in White Bear Township, Minnesota. Although TNC is a Ramsey County facility owned and operated by the Parks and Recreation Department, our geographic service area extends into the Twin Cities metropolitan seven-county area and across the river into western Wisconsin.

Tamarack Nature Center's primary role is environmental education with a secondary role of passive recreation and instruction. Primary programs and audiences include:

- In-house school-year preschool
- Otter Lake/Willow Lane Elementary School partnership
- Pre-K-6th school field trips from seven-county area
- 8-week summer camp for 3 to 11-year-olds
- 8-week summer program for urban childcare organizations
- Youth and adult volunteer program
- Informal weekend garden and natural history programs for all ages
- Birthday parties, rentals, etc.



A Destination for Discovery

Tamarack Nature Center (TNC) is in the last stage of a ten-year umbrella project entitled, *Destination for Discovery*. Guided by TNC’s 2007 strategic plan, the project updates facilities, interpretive trails, programs and exhibits, building our capacity to “help people discover the value of nature through play, inquiry, exploration and service.”

Demand for TNC’s programs, facilities and natural areas has grown exponentially in recent years, precipitating the need for infrastructure updates and improvements.

History and Timeline

1979	First Director hired, portable trailer/classroom installed within Bald Eagle-Otter Lake Regional Park.
1990	TNC permanent trailhead and program facility (4,000 sq. ft.) opened on 320 acre section of Otter Lake Regional Park.
2003	5,000 sq. ft. building addition including two classrooms, ski/snowshoe rental, family restrooms
2005	Classroom renovation and creation of <i>My Nature Preschool</i> partnership with White Bear Lake Area School District
2007	Completion of TNC strategic and site master plan <i>Destination for Discovery</i>
2008	Design, development and construction of <i>Discovery Hollow</i> nature play area and garden
2011	Opening <i>Discovery Hollow</i> nature play area and garden
2015	Completion of 4,000 sq. ft. Early Learning Center and expansion of <i>My Nature Preschool</i> (in partnership with White Bear Lake Area Schools) including two dedicated classrooms, staff office, conference room and parent gathering space.
2015-2016	Design, development and completion of TNC original building renovation including front entrance remodel, reconfigured reception and exhibit space, staff offices.
206-2017	Site campus parking and circulation
2018-2028	Classroom addition design/development/construction, interactive exhibit installation, trail improvements, sugar shack relocation/construction, new programming building (four class rooms, restrooms, storage), Garden house remodel activity area shelters, overflow parking lot



Funding

- **MN Clean Water, Land and Legacy Amendment**
 - o Early Learning Center (complete) = \$1.1 Mil
 - o Main Building Remodel (current) = \$675K
 - o Site/parking Phase = \$800K

Project Redesign Issues and Design Elements

Key Issues to be addressed:

- Finish improvements to the parking and site circulation to accommodate the current user needs at TNC
- Improve safety, security and comfort for year-round visitation
- Complete main building renovation and incorporate the programming building into the main visitor center
- Renovation of existing structures to better serve programs
- Accessibility and code compliance updates



Key Project Elements

Programming Building/Existing Visitor Center Remodel

This addition will result in the removal/demo of the south wing existing classrooms (2,600 sf), and the addition of a 11,300 sf programming building. Originally conceived as a standalone building, the decision was made to make the program building an addition to the existing facility. This solves several required code updates with the existing south classroom wing, protects existing open space and highly desirable trees, and allows for more efficient staffing of only a single building rather than multiple ones. The orientation of the proposed program building addition is such that it is not viewed when approaching the building from any one side. Large oak trees on the south side of the building help reduce scale and screen the building from other on site uses. The addition will house permanent staff offices, four classrooms, classroom prep, storage, and restrooms with exterior access to serve Discovery Hollow. The building will be designed to meet SB2030 Guidelines and set a goal of net zero. The roof will be oriented to maximize solar orientation for solar power generation as well as natural air flow. Existing temporary offices and exhibit hall will be remodeled to expand the interior exhibit space and create a dedicated animal care facility with and owl mew. Building materials will be materials that seek to blend the structure into the surrounding environment and reduce the building scale.

Garden House Remodel and Addition

The existing seasonal garden house will be remodel and winterized to be able to allow for the building to be used year-round. The building will be expanded to accommodate program storage. The expansion will be on the east side but will keep the same building faced materials and roof pitch. The roof will be made solar ready to be able to add a solar array. The many existing glass doors which are energy inefficient and do not find the use of the building will be replaced with sliding windows with screens. An interior single stall accessible restroom will be added, as well as redesigned commercial kitchen to meet current codes and health department regulation.

Sugar Shack Redevelopment

The existing sugar shack, which is a building used to house a wood fired evaporator to a make maple syrup, is located in a small building that was originally a chicken coop from an old farm operation on the property. A new sugar shack will be built to meet current codes and accessibility requirements. The sugar shack is proposed to be 16ft x24ft, uninsulated structure. It will be located near the sugar bush central, southwest of the main building and to the property to maximize the traditional maple syrup program authenticity.

Large Program Shelter

A large shelter approx. 35ft x 75ft is proposed to be located on the south end of the overflow parking lot not far from the garden area. This shelter will be used for off-site groups who schedule programs at Tamarack. Many of these groups represent underserved communities from throughout the county. When these groups come to Tamarack, the groups must be kept separate from other groups such as preschool or summer camps and thus need a their own "place" to occupy at the facility. This will allow for a place to escape inclement weather or hot sun, receive instructions, and store backpacks etc. The shelter will be pre-engineered with small custom features so the aesthetic will match the nearby garden building roof pitch and material makeup. A small CMU serving counter and drinking fountain is proposed with this shelter project.

Small Program Shelter

A small approx. 20ft x 20 ft pre-engineered shelter is proposed at several locations to provide shade or protection from wet weather. The existing shelter in the lawn area will be replaced. An additional small shelter is proposed



for the area north of the parking lot. These shelters do not have any other amenities other than picnic table seating.

Parking and Trails

The existing gravel overflow parking lot that serves many underserved community groups will be paved to improve accessibility and accommodate stormwater treatment. The proposed parking lots will have curb and gutter and asphalt pavement. Parking stalls will be constructed with permeable pavement. This parking lot is will accommodate buses and cars for dedicated programs and overflow for program events. New bituminous pedestrian paths are proposed to connect parking lots with site destinations. Existing permeable pavers used around the building will be reused to create outdoor gathering spaces near the proposed buildings.

Site Lighting

The 2017 Site construction project updated the old lighting system across the site campus. The proposed site design includes new lighting for the overflow parking lot. The proposed light fixtures will be LED type with dimming capability and motion response system. They will be off for light output until they sense motion, at which point the output raises to 100% (or whatever amount of light is necessary). This saves energy and also creates a softer night time facility aesthetic and reduces light pollution to the neighborhood to the east. Artistic bollard style lights are proposed for the drop off circle and building entrance area which were not constructed in 2017 due to lack of funding.

Vegetation

One of the goals in the programming and design of the site is to minimize site impact to existing trees and natural resources. The proposed layout of parking lot and buildings are located so that the physical location and grading adjustments minimize the impact to existing desirable trees. The new require removal of several trees, but no large native significant trees. New trees and native shrubs will be planted throughout the site as part of the redevelopment project. The stormwater basins will receive most of the new shrub and herbaceous plantings.

Stormwater

Ramsey County Parks and Recreation Department incorporates water resources for recreation activities across the entire County and has a vested interest to ensure water quality is preserved or enhanced. The Vadnais Lake Area Water Management Organization (VLAWMO), is the agency that is responsible for setting water treatment guidelines for site development but defers this oversight to the local city or township. The best management practices that are proposed for the project are permeable pavement and infiltration/bio-retention basins as shown on the plans. Native soils on site are quite sandy which should allow for all stormwater runoff to be infiltrated onsite.

Wetland Impacts

There are no wetlands impacted with this project.

Signage

Regulatory signs will install to meet Minnesota Uniform Traffic Control Devices (MUTCD) standards.

Project Element Implementation Schedule

Programming building – 2025-2027 (estimated)



Garden House Renovation – 2020-21

Sugar Shack redevelopment – 2020-21

Large Shelter and overflow parking lot paving – 2025-2027 (estimated)

Small Shelters – No timetable

MEMORANDUM

TO: Brett Blumer, Ramsey County Parks Department
FROM: Joe Lux, Senior Transportation Planner
DATE: March 31, 2020
SUBJECT: Tamarack Nature Center Campus Site Redevelopment

I have discussed the Tamarack Nature Center's access with County Traffic Engineer Brad Estothen, in light of the redevelopment plans for the Center. After reviewing the traffic operations on Otter Lake Road and the accommodations that are present (or more accurately, absent) for public streets and institutional uses along the corridor, we will not require construction of turn lanes for the redevelopment. We would like to work with the Parks Department after completion and if problems arise, address them. We are also working toward a plan to add bike and pedestrian facilities to Otter Lake Road and are confident that project will result in a more accommodating environment for pedestrians and bikers. Please contact Brad or me with any questions.

MEMO

To: Gus Blumer, Ramsey County
From: Aaron Cameron, HTPO
Date: 03/26/2020
Subject: Tamarack Nature Center - Stormwater Management Design

Overview

This memo has been prepared to describe the proposed stormwater management system included as part of the Tamarack Nature Center building improvements located in White Bear Township, MN. The project is located within the Vadnais Lake Area Watershed Management Organization (VLAWMO).

It is our understanding that the project will be bid and built in phases as funding allows. With this, our analysis is based on 60% DD plans dated through 03/18/2020. Any design changes after this date are not included and would require updating the calculations to reflect these changes. We are under the assumption that any comments provided by the Watershed with their review would be forwarded to incorporate into the final design.

Permitting Requirements

VLAWMO requires two primary stormwater management design elements that need to be accounted for by the project:

- Rate Control – Proposed runoff rates, cumulative for the entire redevelopment site, shall not exceed the existing runoff rates for the 2, 10, and 100-yr, 24-hr events, based on Atlas 14 data.
- Volume Reduction - Volume reduction shall be achieved onsite through abstraction within BMP's in the amount of 1.1 inches of rainfall over new and reconstructed impervious surfaces.

Stormwater BMP's

This project is incorporating various BMP's to manage the stormwater runoff from the project area, including:

- Permeable pavements with filtration media and an underdrain
- Infiltration basins
- Vegetated surfaces for pre-treatment

Soil borings were performed as part of the design which reveal that the majority of underlying soils are HSG "B" type, and therefore infiltration is feasible. This supports the local knowledge of the site that the soils in the area are mainly free-draining. As an additional measure, perforated draitile underdrains will be installed under the permeable pavement sections.

Rate Control

The runoff rates post redevelopment cannot exceed the existing condition rates for the project area. The runoff rates from the existing and proposed conditions are listed in the following table. The supporting HydroCAD calculations are attached.

Event	Existing (cfs)	Proposed (cfs)
2-yr (24-hr)	2.5	1.9
10-yr (24-hr)	11.4	11.3
100-yr (24-hr)	48.9	48.6

Volume Reduction

The project will create or fully reconstruct greater than 10,000 sq. ft. of impervious surfaces, therefore it must capture and retain onsite 1.1 inches of runoff from the new and/or fully reconstructed impervious surfaces. As noted earlier, the underlying subgrade soils are "B" type, allowing for infiltration. An infiltration rate of 0.45 inches/hr. was used based on the Minnesota Stormwater Manual. With the required draw down time of 48 hours, the maximum depth of the infiltration basin would be 21 inches. A summary of the calculations are shown in the following table, including the amount of new or fully reconstructed impervious surfaces.

			UNITS
New / Reconstructed Impervious		60650	SF
Volume Required		5560	CF
BMP #1 (Program Building)		4922	CF
BMP #2 (Sugar Shack)		1629	CF
Pervious Parking Lot		2936	CF
Total Volume Provided		9487	CF

Minnesota Wetland Conservation Act

Notice of Decision

Local Government Unit (LGU) Vadnais Lake Area Water Management Organization	Address 800 County Road E, East, Vadnais Heights, MN 55127
---	---

1. PROJECT INFORMATION

Applicant Name Ramsey County Parks	Project Name Tamarack Nature Center Expansion	Date of Application 2/23/16	Application Number 1-2016
<input type="checkbox"/> Attach site locator map.			

Type of Decision:

<input type="checkbox"/> Wetland Boundary or Type Sequencing	<input checked="" type="checkbox"/> No-Loss	<input type="checkbox"/> Exemption	<input type="checkbox"/>
<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Banking Plan		

Technical Evaluation Panel Findings and Recommendation (if any):

<input type="checkbox"/> Approve	<input type="checkbox"/> Approve with conditions	<input type="checkbox"/> Deny
Summary (or attach): <div style="border: 1px solid black; height: 40px; width: 100%;"></div>		

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: 2/26/16		
<input checked="" type="checkbox"/> Approved Denied	<input type="checkbox"/> Approved with conditions (include below)	<input type="checkbox"/>

LGU Findings and Conclusions (attach additional sheets as necessary):

The project construction will take place on upland and will not impact wetlands located on the nature center site. Construction area is well above the 100yr flood elevation and away from any NWI wetlands. County wants official WCA documentation that construction site is free of wetlands. LGU is very familiar with site and no wetlands are present on or near construction area.

For Replacement Plans using credits from the State Wetland Bank:

Bank Account #	Bank Service Area	County	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)

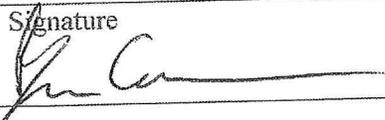
Replacement Plan Approval Conditions. In addition to any conditions specified by the LGU, the approval of a Wetland Replacement Plan is conditional upon the following:

- Financial Assurance:** For project-specific replacement that is not in-advance, a financial assurance specified by the LGU must be submitted to the LGU in accordance with MN Rule 8420.0522, Subp. 9 (List amount and type in LGU Findings).
- Deed Recording:** For project-specific replacement, evidence must be provided to the LGU that the BWSR "Declaration of Restrictions and Covenants" and "Consent to Replacement Wetland" forms have been filed with the county recorder's office in which the replacement wetland is located.
- Credit Withdrawal:** For replacement consisting of wetland bank credits, confirmation that BWSR has withdrawn the credits from the state wetland bank as specified in the approved replacement plan.

Wetlands may not be impacted until all applicable conditions have been met!

LGU Authorized Signature:

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request.

Name Brian Corcoran	Title Water Resource Manager	
Signature 	Date 2/26/16	Phone Number and E-mail 651-204-6073 office@vlawmo.org

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT. Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

Applicants proceed at their own risk if work authorized by this decision is started before the time period for appeal (30 days) has expired. If this decision is reversed or revised under appeal, the applicant may be responsible for restoring or replacing all wetland impacts.

This decision is valid for three years from the date of decision unless a longer period is advised by the TEP and specified in this notice of decision.

3. APPEAL OF THIS DECISION

Pursuant to MN Rule 8420.0905, any appeal of this decision can only be commenced by mailing a petition for appeal, including applicable fee, within thirty (30) calendar days of the date of the mailing of this Notice to the following as indicated:

Check one:

<input type="checkbox"/> Appeal of an LGU staff decision. Send petition and \$_____ fee (if applicable) to: 800 County Rd EE Vadnais Heights, MN 551127	<input type="checkbox"/> Appeal of LGU governing body decision. Send petition and \$500 filing fee to: Executive Director Minnesota Board of Water and Soil Resources 520 Lafayette Road North St. Paul, MN 55155
---	---

4. LIST OF ADDRESSEES

<input checked="" type="checkbox"/> SWCD TEP member: Michael Schumann <input checked="" type="checkbox"/> BWSR TEP member: Dennis Rodacker <input type="checkbox"/> LGU TEP member (if different than LGU Contact): <input checked="" type="checkbox"/> DNR TEP member: Leslie Parris <input type="checkbox"/> DNR Regional Office (if different than DNR TEP member) <input type="checkbox"/> WD or WMO (if applicable): <input type="checkbox"/> Applicant and Landowner (if different) <input type="checkbox"/> Members of the public who requested notice:	<input checked="" type="checkbox"/> Corps of Engineers Project Manager <input type="checkbox"/> BWSR Wetland Bank Coordinator (wetland bank plan decisions only)
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5. MAILING INFORMATION

➤ For a list of BWSR TEP representatives: www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf

➤ For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf

➤ Department of Natural Resources Regional Offices:

NW Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601	NE Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744	Central Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106	Southern Region: Reg. Env. Assess. Ecol. Div. Ecol. Resources 261 Hwy. 15 South New Ulm, MN 56073
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For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

➤ For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687 or send to:

US Army Corps of Engineers
 St. Paul District, ATTN: OP-R
 180 Fifth St. East, Suite 700
 St. Paul, MN 55101-1678

➤ For Wetland Bank Plan applications, also send a copy of the application to:
Minnesota Board of Water and Soil Resources
Wetland Bank Coordinator
520 Lafayette Road North
St. Paul, MN 55155

6. ATTACHMENTS

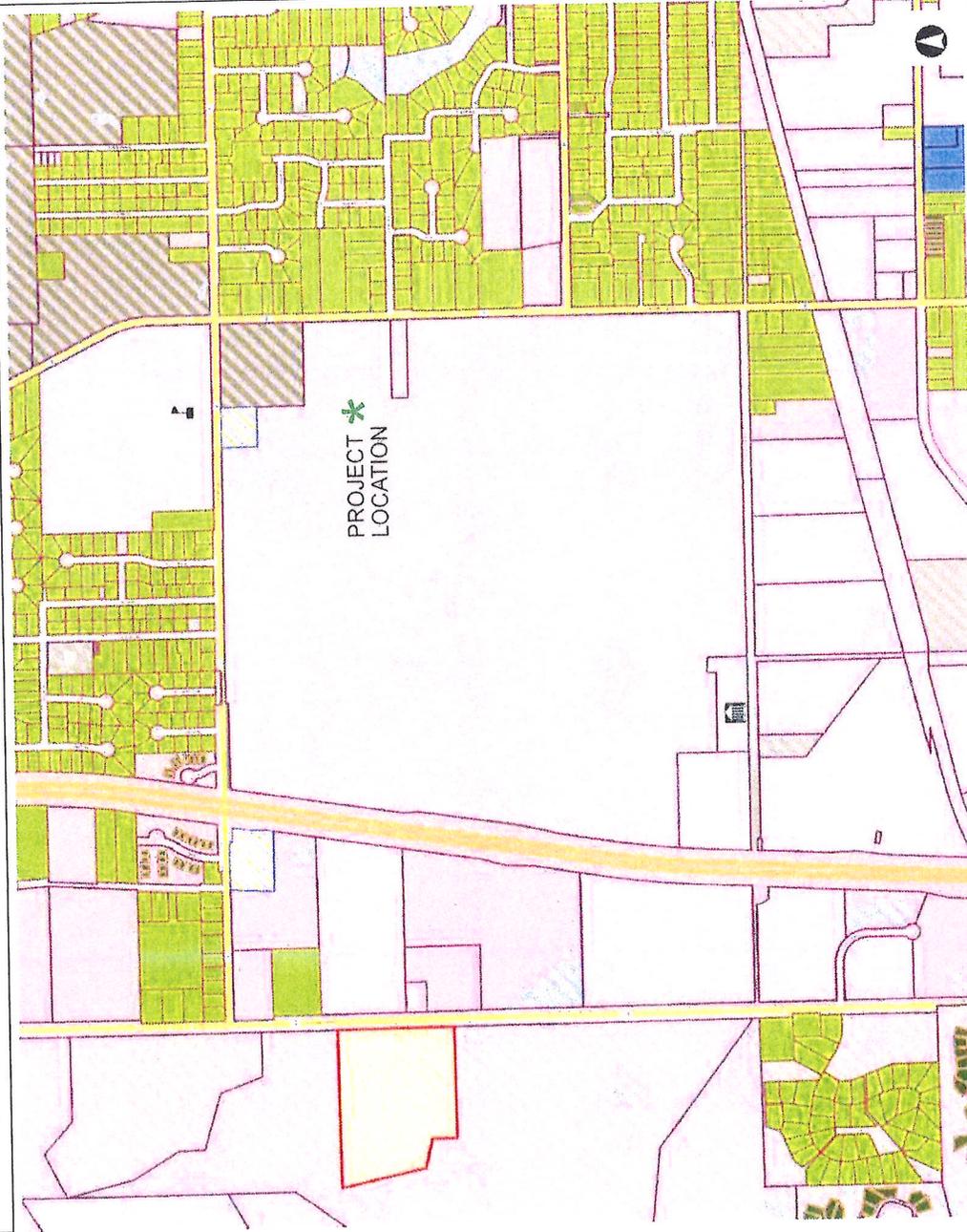
In addition to the site locator map, list any other attachments:

application with aerial of 100yr flood elevation and NWI

site redevelopment plan



Tamarack Nature Center- Surrounding Land Use



Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Parcels Land Use Codes (<=1**
 - Commercial/Industrial
 - No Information/Vacant Land
 - Other Residential
 - Trailer Or Mobile Home Park
 - Residential 1 Unit
 - Residential 2-3 Units
 - Condo/Co-op/Townhome
 - Apartments 1-9 Rental Units
 - Apartments 10-19 Rental Units
 - Apartments 20-49 Rental Units
 - Apartments 50 Or More Units
 - Fraternity/Sorority House
 - Nursing Homes/Hospitals

Notes

Conditional Use Application
8.7.2014

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



NAD_1983_HARN_Adj_MN_Ramsey_Feet
 © Ramsey County Enterprise GIS Division

Background Documents



WHITE BEAR TOWNSHIP

Zoning Districts

Legend

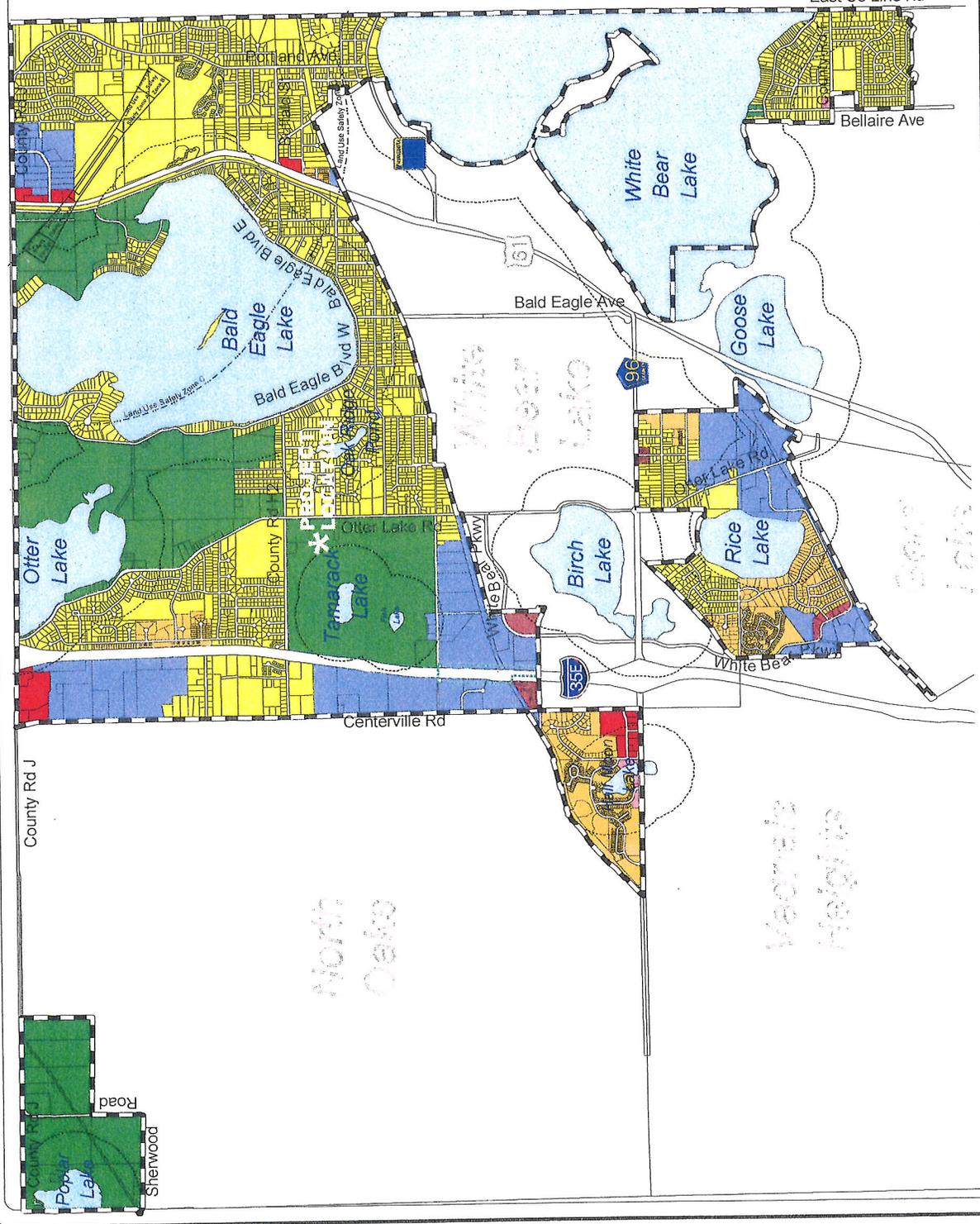
- Township Limits
- B-1 Limited Business
- B-2 - General Business
- I-1 - Light Industrial
- OS Open Space
- R-1 Suburban Residential
- R-2 Urban Residential
- R-3 Multiple Family Residential
- Airport Safety Zone A and B
- Airport Safety Zone C
- Shoreline Management Area
- Outdoor Advertising Sign Overlay

0 2,500 Feet

For Further Information Contact White Bear Township at (651) 429-6827

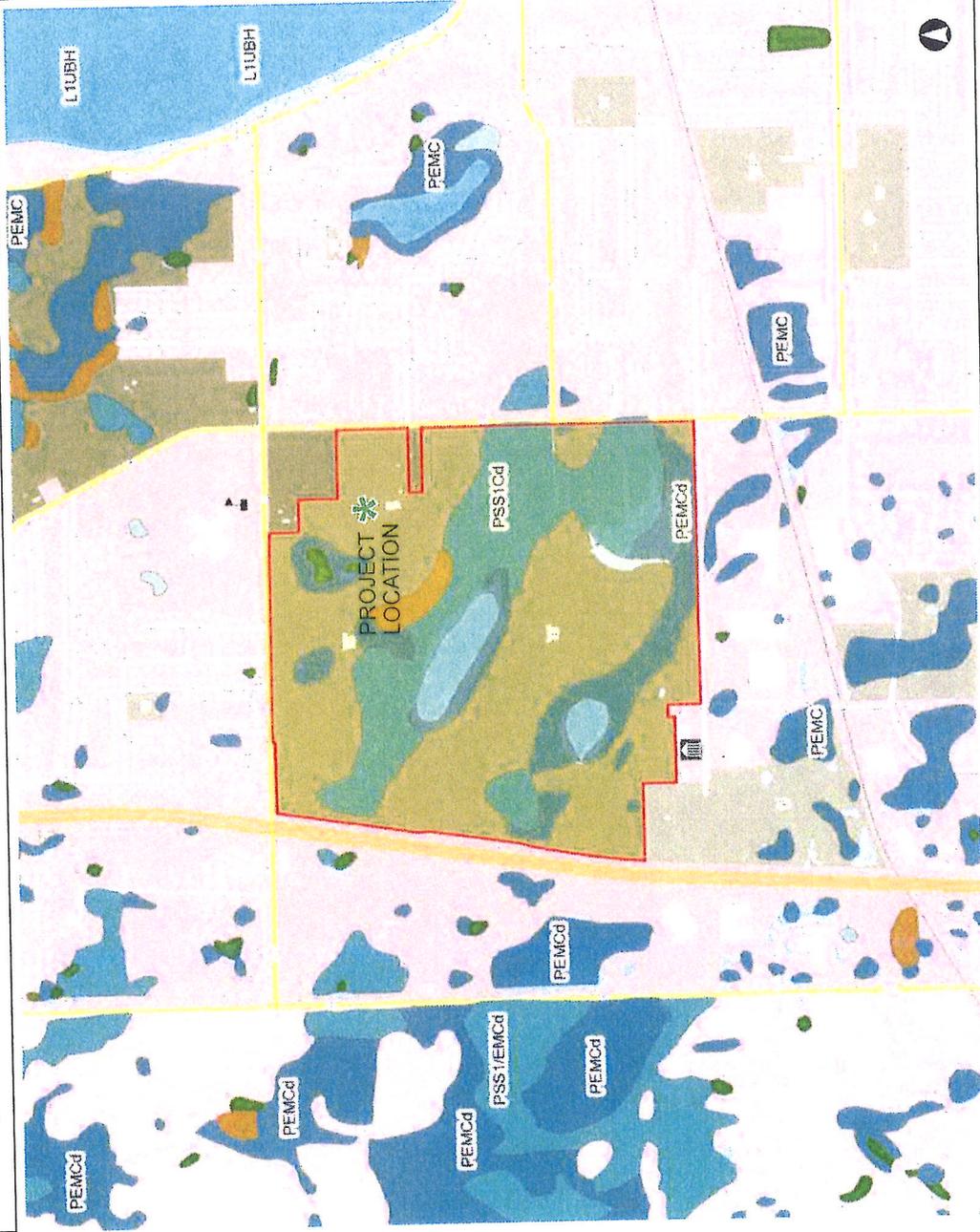
Limitation Liability
This document is not a legally recorded map or survey and is not intended to be used as one. This map is a compilation of records and information from various state, county, and township offices, and other sources.

Map Date: April 16, 2003
Created By: **TKDA**
ENGINEERS-ARCHITECTS-PLANNERS



Background Documents

Tamarack Nature Center NWI wetlands



Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- NWI Wetlands
- Bog
- City / Industrial
- Deep Marsh
- Open Water
- River System
- Seasonal Flooded
- Shallow Marsh
- Shrub Swamp
- Wet Meadow
- Wooded Swamp

Notes

Conditional Use Application

8.7.2014

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

2,666.7 Feet

1,333.34

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2,666.7

NAD_1983_HARN_Adj.MN_Ramsey_Feet
© Ramsey County Enterprise GIS Division





PHILIPS



Site & Area

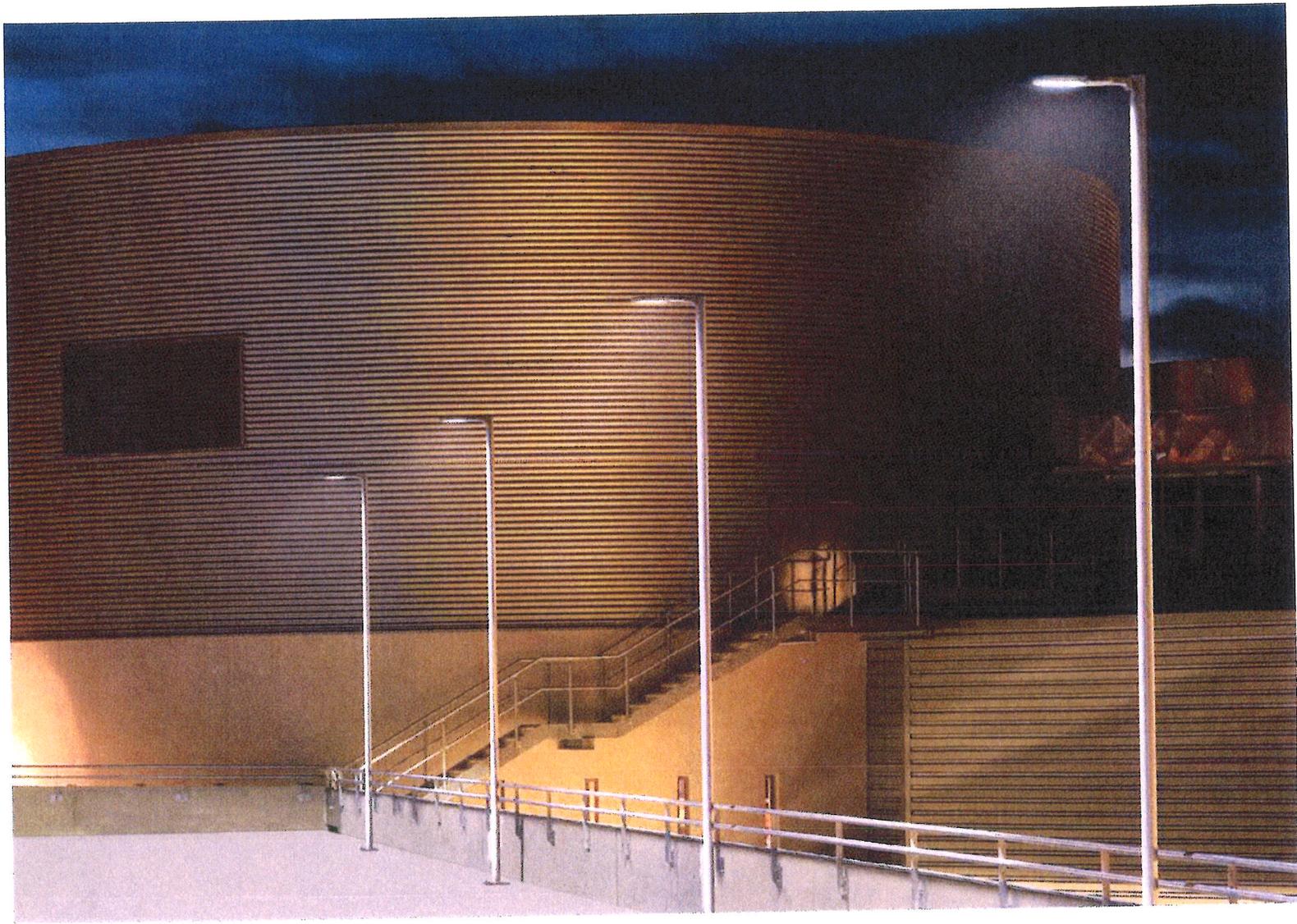
EcoForm



LED Solution

Redefining value
with **outstanding**
performance

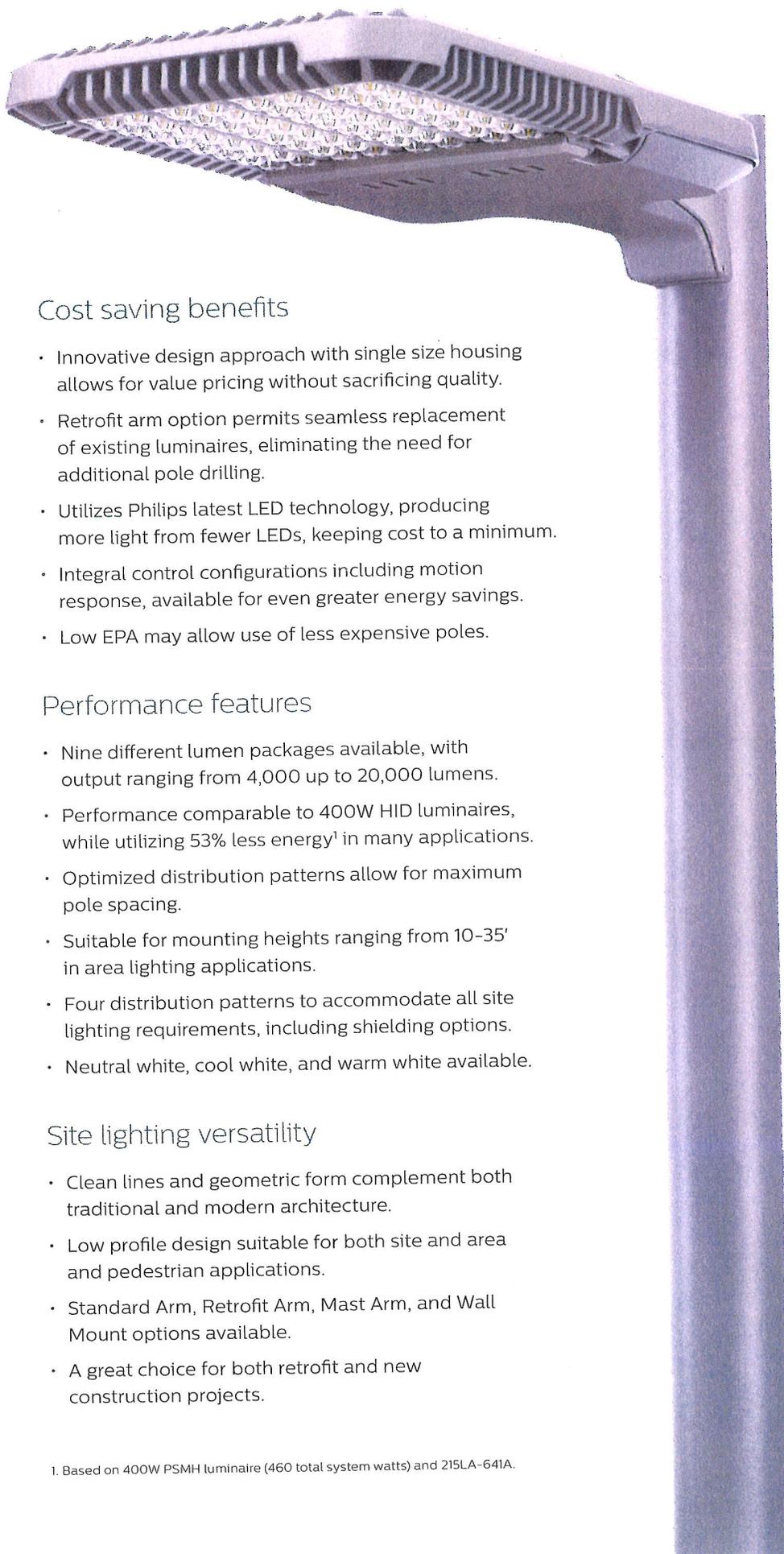
An affordable solution with optimal versatility



An **affordable** site lighting package with **one LED luminaire**

The Philips Gardco EcoForm redefines value through outstanding performance and breadth of offering. EcoForm combines nine different lumen packages, four distribution patterns, and six integral control options to create an innovative, efficient, performance and value driven product suitable for a full range of site and area applications.

EcoForm combines economy with performance in an outdoor area luminaire. When project budgets call for an affordable solution that will meet specifications without sacrificing performance, EcoForm is an excellent option. EcoForm features a single, low profile housing design and delivers a variety of lumen packages, making it the perfect choice for replacing existing HID installations.



Cost saving benefits

- Innovative design approach with single size housing allows for value pricing without sacrificing quality.
- Retrofit arm option permits seamless replacement of existing luminaires, eliminating the need for additional pole drilling.
- Utilizes Philips latest LED technology, producing more light from fewer LEDs, keeping cost to a minimum.
- Integral control configurations including motion response, available for even greater energy savings.
- Low EPA may allow use of less expensive poles.

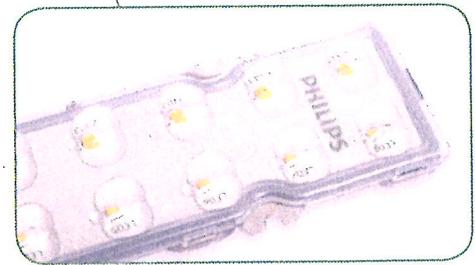
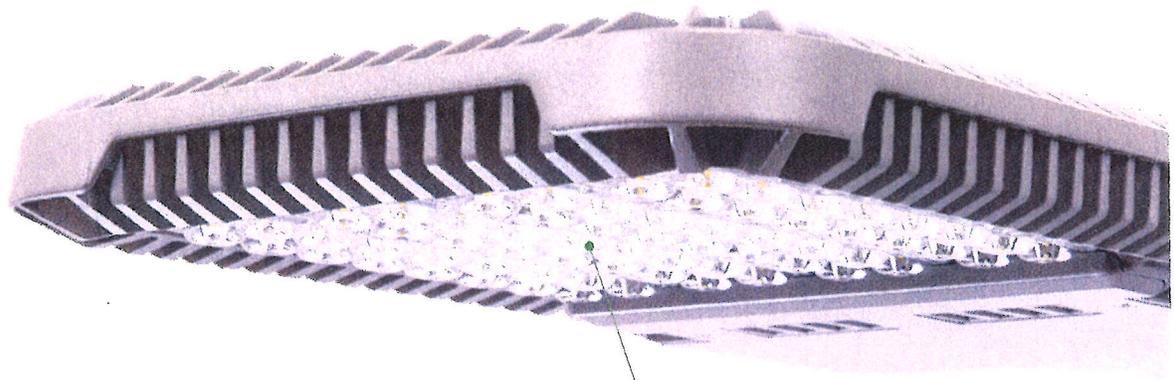
Performance features

- Nine different lumen packages available, with output ranging from 4,000 up to 20,000 lumens.
- Performance comparable to 400W HID luminaires, while utilizing 53% less energy¹ in many applications.
- Optimized distribution patterns allow for maximum pole spacing.
- Suitable for mounting heights ranging from 10-35' in area lighting applications.
- Four distribution patterns to accommodate all site lighting requirements, including shielding options.
- Neutral white, cool white, and warm white available.

Site lighting versatility

- Clean lines and geometric form complement both traditional and modern architecture.
- Low profile design suitable for both site and area and pedestrian applications.
- Standard Arm, Retrofit Arm, Mast Arm, and Wall Mount options available.
- A great choice for both retrofit and new construction projects.

1. Based on 400W PSMH luminaire (460 total system watts) and 215LA-641A.



Breakthrough LED technology

EcoForm uses the latest in Philips LED technology to meet high performance outdoor site and area lighting standards. In addition, the EcoForm LEDs deliver a high color rendering index, provide exceptional coverage to the target area, provide exceptional lumen output, and are available in three different color temperatures to tailor the lighting to your application.

IP66-rated LED light engine

The EcoForm LED light engine, inspired by the Philips LEDGINE platform, is constructed of the most reliable Philips components.

The IP66-rated LED modules protect the LEDs from degradation caused by harsh environmental elements. In addition, the IP66 seal allows the modular LED arrays to be easily replaced in the field.

Maximized performance

EcoForm's innovative IP66-rated light engine eliminates the need for a glass lens, ensuring that nothing will interfere with LED performance and your target area.

Each light engine includes 16 high power LEDs per array. EcoForm is available with 2, 3, or 4 LED arrays available in type 2, 3, 4, and 5 distributions.

Control options maximize savings and expedite payback

Motion Response

Integral and pole mounted motion response

Motion Response ensures that light is there when it's needed, and reduces power to save energy when the site is not in use. Once motion is detected, the luminaire switches to full light output until no motion is detected for the duration period. Both the dimming duration and light output are field adjustable.



Luminaire mounted integral sensor (MRI)
 For mounting heights up to 20ft.

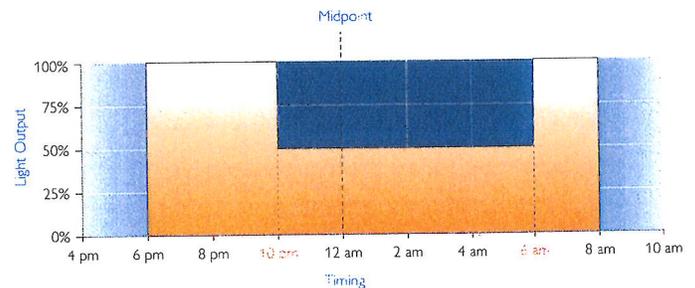


Pole mounted sensor (MR50 or APD-MRO)
 For mounting heights greater than 20ft.

Automatic Profile Dimming

Philips DynaDimmer

Automatic Profile Dimming (APD) provides guaranteed savings by reducing power and light output by 50% during periods of low traffic. By combining EcoForm with Philips DynaDimmer, power is reduced by 50% for two hours prior to and six hours after the set mid point.



Automatic Profile Dimming & Motion Response Override

Benefits of both motion response and automatic profile dimming

To enjoy the benefits of both technologies, specify the ECF-APD-MR configuration. Both the luminaire (MRI) and pole mounted (MRO) sensors can be combined with Philips DynaDimmer for ultimate energy savings and an increased sense of security.

When motion is detected during periods where the luminaire is dimmed to 50%, the luminaire will return to 100% power until no motion is detected for the duration period. Both the dimming duration and light output are field adjustable.

Wireless Controls Capability

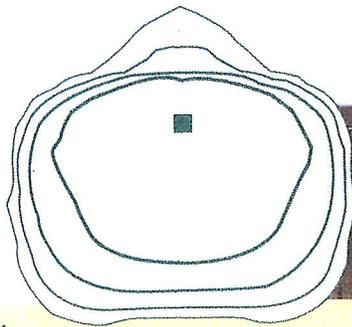
EcoForm is available with wireless controls technology as part of a total parking garage top deck solution.

Contact factory for information on wireless controls system capability.

EcoForm has your site covered



EcoForm offers a complete set of optical systems to meet every site lighting requirement. Shielding options are available to reduce backlight when used with three EcoForm optical distributions. Not only will EcoForm efficiently illuminate site and area, pedestrian, and perimeter locations with one luminaire, it looks great at any scale.

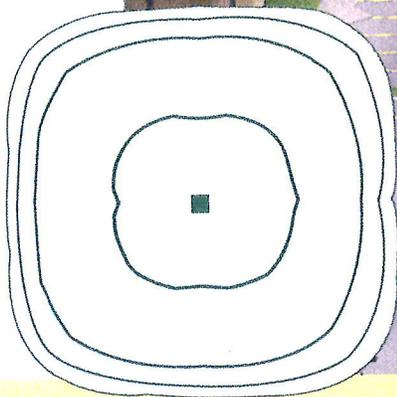


Type 4

Type 4 is suitable for applications where light is primarily required forward, and minimal backlight is desired. Typical installations include perimeter poles.

Site perimeter

LED Array: 215LA-641A Pole Height: 20 ft
Optic: Type 4 Fc Min: 0.5



Type 5

Type 5 optics produce a symmetrical square pattern that distributes light equally on all sides of the luminaire. Type 5 luminaires are often applied in parking lot interiors.

Parking lot

LED Array: 215LA-641A Pole Height: 120 x 120 ft
Optic: Type 5 Fc Min: 0.5



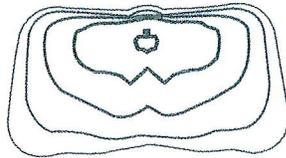
Shielding options control backlight

EcoForm's Internal Shielding (IS) option is available with Type 2, 3, and 4 distributions to effectively control backlight.

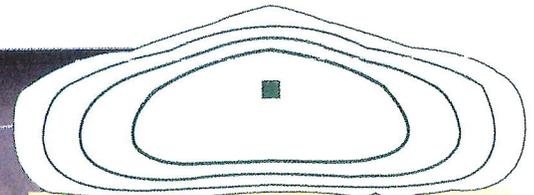
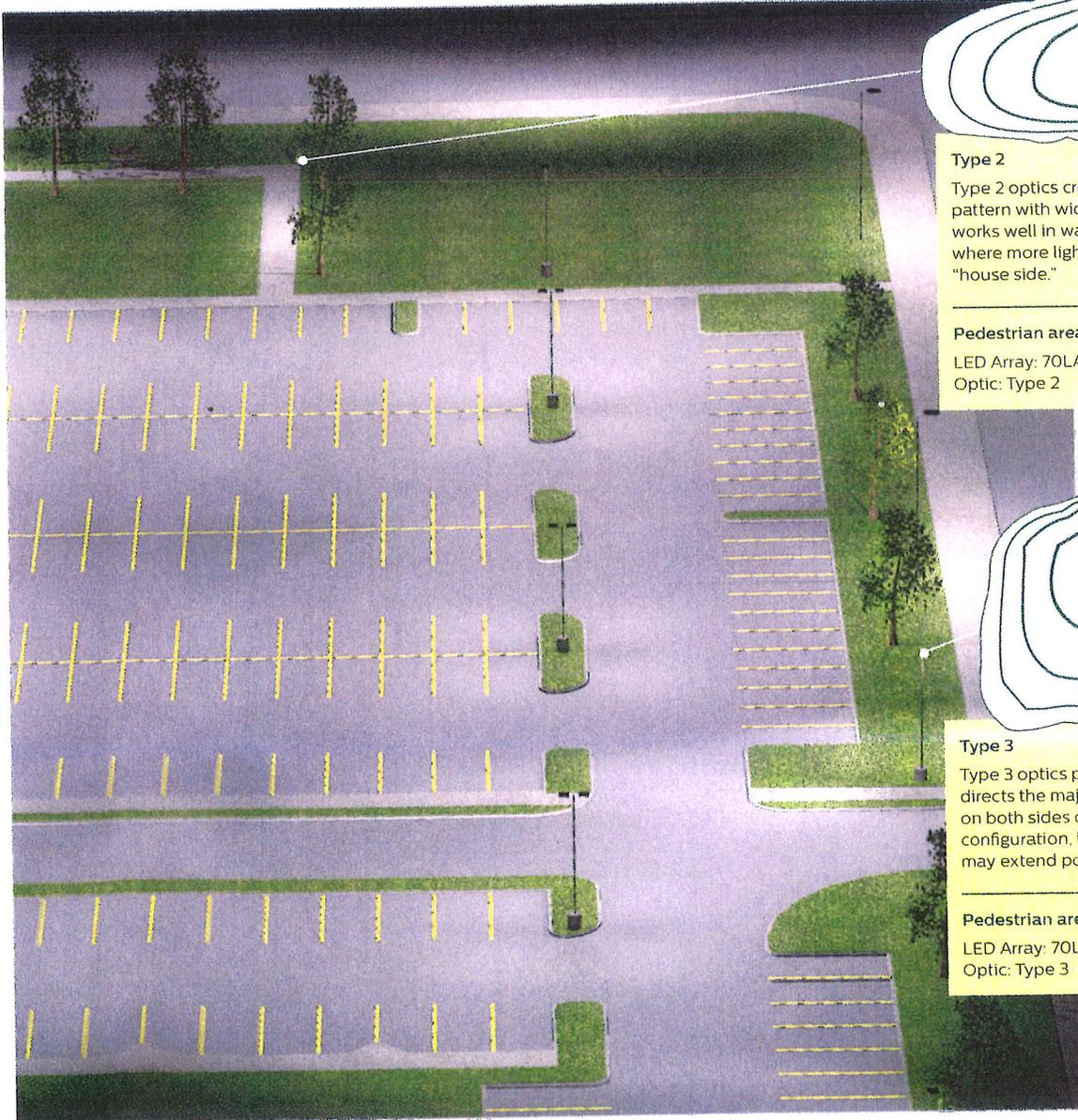
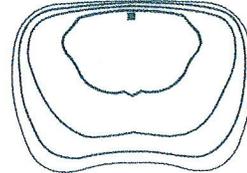
Type 2 with IS



Type 3 with IS



Type 4 with IS

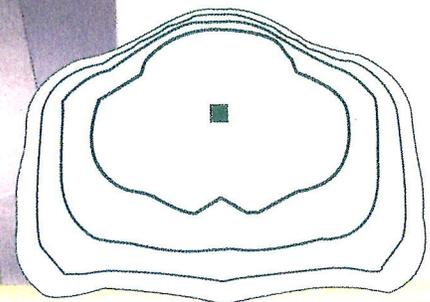


Type 2

Type 2 optics create an asymmetric distribution pattern with wide lateral throw. The distribution works well in walkway and roadway applications where more light is required "street side" than "house side."

Pedestrian area

LED Array: 70LA-5270 Pole Height: 12ft
 Optic: Type 2 Fc Min: 0.5



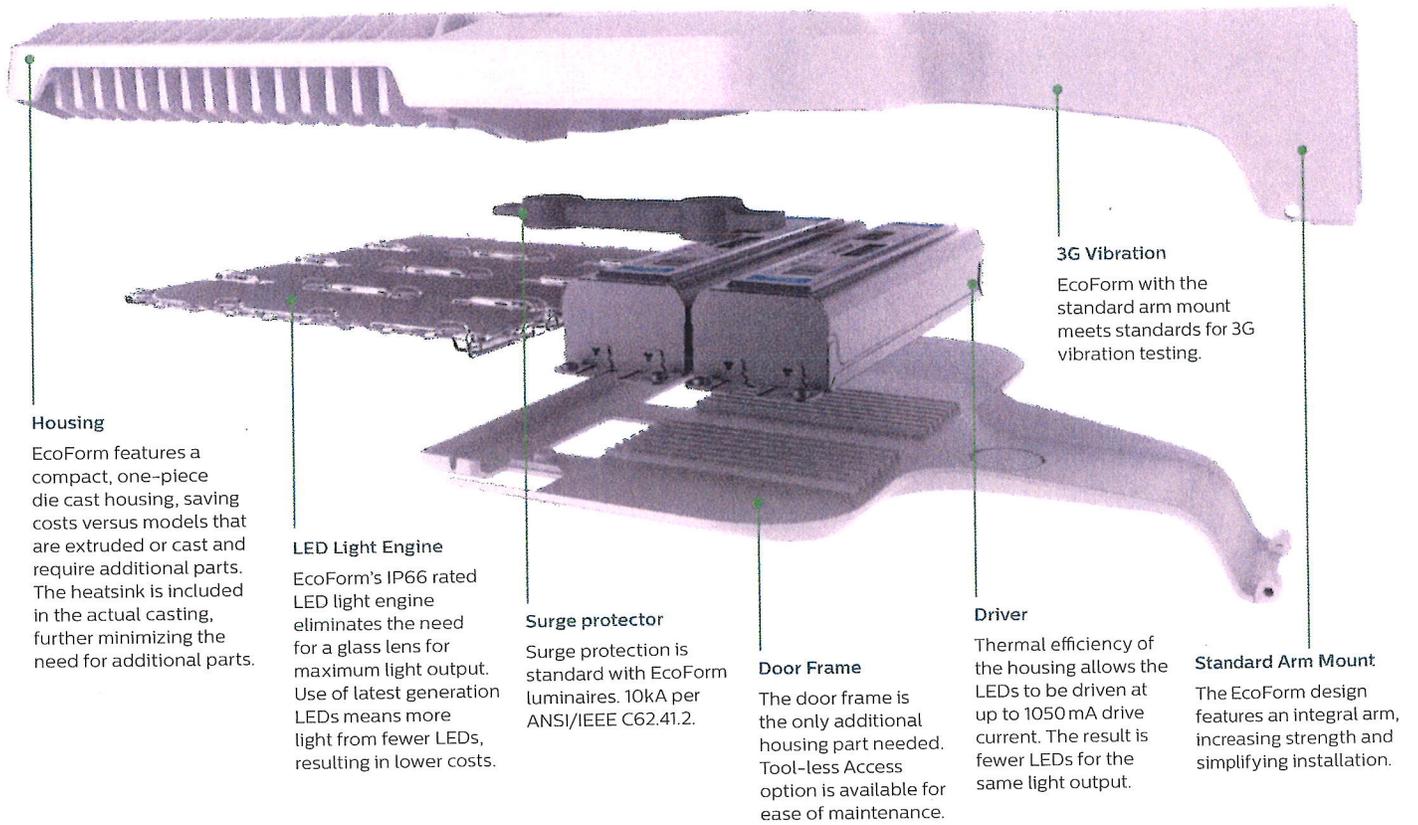
Type 3

Type 3 optics produce an asymmetrical pattern that directs the majority of the light forward and equally on both sides of the luminaire. In a back-to-back configuration, it creates a rectangular pattern which may extend pole spacings.

Pedestrian area

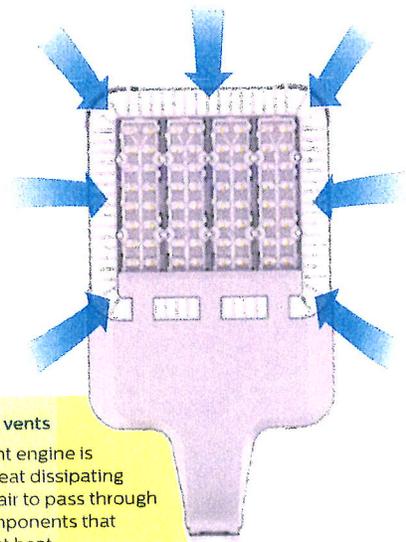
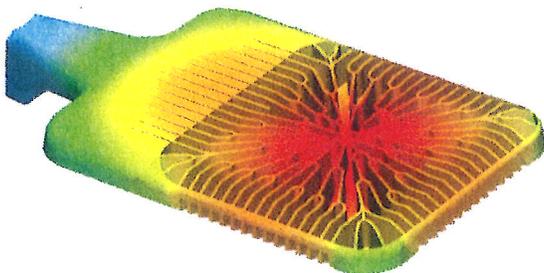
LED Array: 70LA-3270 Pole Height: 20ft
 Optic: Type 3 Fc Min: 0.5

Construction features



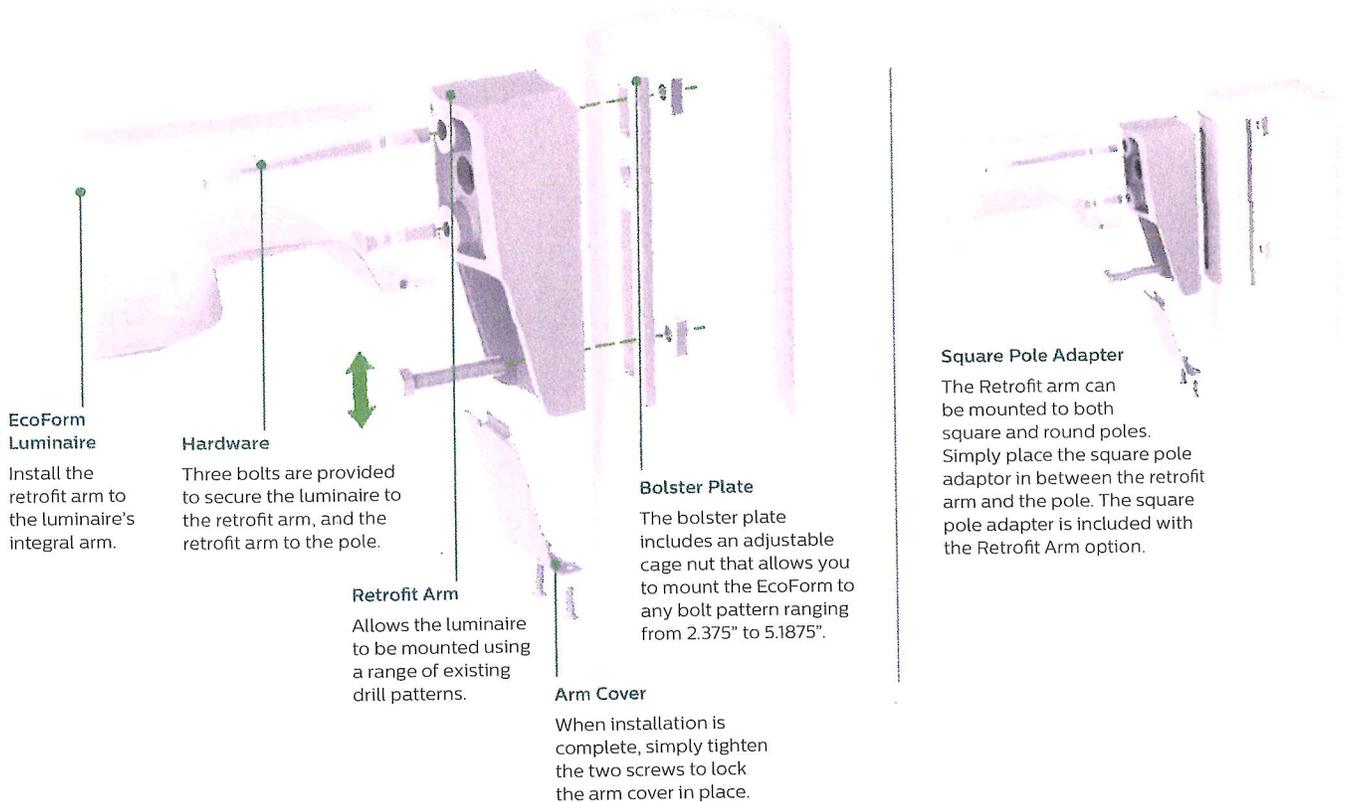
Thermal management

EcoForm features an innovative thermal design that maximizes life and performance. The thermal efficiency of EcoForm's housing design permits the housing size to be small, and also allows LEDs to be driven at up to 1050mA drive current for maximum lumen output.



EcoForm makes retrofitting easy

EcoForm features an innovative retrofit arm, allowing for seamless integration into existing sites, eliminating the need for costly additional pole drilling. The Retrofit arm features a versatile mounting plate that allows the luminaire to be mounted using any drill pattern ranging from 2³/₈" to 5³/₁₆".



Mounting options

EcoForm features three additional mounting options, offering a full range of mounting versatility.



Standard Arm Mount



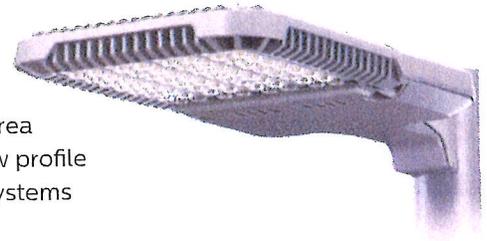
Mast Arm Fitter



Wall Bracket

Specifications

The Philips Gardco EcoForm combines economy with performance in an LED area luminaire. Capable of delivering up to 20,000 lumens or more in a compact, low profile LED luminaire, EcoForm offers a new level of customer value. Integral control systems including motion response are available for further energy savings.



Housing

One piece die cast aluminum housing with integral arm and separate, self retained hinged, one piece die cast door frame.

IP Rating

LED light engine rated IP66.

Vibration Resistance

EcoForm with the Standard Arm carries a 3G vibration rating that conforms to standards set forth by ANSI C136.31. Testing includes vibration to 3G acceleration in three axes, all performed on the same luminaire.

Electrical

Driver efficiency (>90% standard). 120-480V available (restrictions apply). Open/short circuit protection. Optional 0-10V dimming to 10% power. RoHS compliant. Surge protector standard. 10kA per ANSI/IEEE C62.41.2.

LED Board and Array

32, 48, or 64 LEDs. Color temperatures: 3000K, 4000K, 5700K +/- 250K. Minimum CRI of 70. Aluminum metal clad board. RoHS compliant.

LED Thermal Management

The one piece housing design provides excellent thermal management critical to long LED system life.

Optical Systems

Type 2, 3, 4, and 5 distributions available. Internal Shield option mounts to LED optics and is available with Type 2, 3, and 4 distributions to control backlight.

Mounting

Standard luminaire arm mounts to 4" round poles. Square pole adapter included with every luminaire. Round Pole Adapter (RPA) required for 3-3.9" poles.

Retrofit Arm Mount

EcoForm features an innovative retrofit arm kit. When specified with the retrofit arm (RAM) option, EcoForm seamlessly simplifies site conversions to LED by eliminating the need for additional pole drilling on most existing poles. RAM will be boxed separately.

Energy Saving Benefits

System efficacy up to 95 lms/W with significant energy savings over Pulse Start Metal Halide luminaires. Optional control options provide added energy savings during unoccupied periods.

Finish

Each standard color luminaire receives a fade and abrasion resistant, electrostatically applied, thermally cured, triglycidal isocyanurate (TGIC) textured polyester powdercoat finish. Standard colors include bronze (BRP), black (BLP), white (WP), and natural aluminum (NP). Consult factory for specs on optional or custom colors.

Motion Sensors

ECF-MR50, ECF-APD-MRO, ECF-MRI, ECF-APD-MRI luminaires may be specified for additional energy savings during unoccupied periods.

Listings

ETL/cETL listed to the UL 1598 standard, suitable for Wet Locations. Suitable for use in ambients from -30° to 40°C (-22° to 104°F). The quality systems of this facility have been registered by UL to the ISO 9001 series standards.

Warranty

EcoForm luminaires feature a 5 year limited warranty. Philips Gardco LED luminaires with LED arrays feature a 5 year limited warranty. The LED Drivers carry a 5 year limited warranty. Motion sensors are covered by warranty for 5 years by the motion sensor manufacturer.

Ordering guide

example: ECF-APD-MRO-1-4-75LA-NW-120-NP-LF

Prefix	Controls	Mounting	Optics	LED Wattage	Color Temp	Voltage	Finish	Options
ECF								
ECF EcoForm	— Standard luminaire (leave blank) DIM 0-10V Dimming APD ¹ Auto Profile Dimming APD-MRO ² Auto Profile Dimming and Motion Response Override pole mounted motion sensor APD-MRI ^{2,3} APD with Motion Response Override luminaire sensor MRI ^{2,3} Motion Response at 50% low luminaire sensor MR50 ² Motion Response at 50% low, pole mounted sensor LimeLight Wireless Controls LLC2 ^{1,5} #2 lens for 8-15' mounted heights LLC3 ^{1,5} #3 lens for 15-25' mounted heights LLC4 ^{1,5} #4 lens for 25-40' mounted heights	1 Standard 2 2@180 2@90 2@90 3 3@90 3@120 3@120 4 4@90 WS Wall mount including surface conduit rear entry permitted MA Mast Arm Fitter (requires 2-3/8" O.D. Mast Arm)	2 Type 2 3 Type 3 4 Type 4 5 Type 5	530 mA 55LA-3253 ¹ 75LA-4853 100LA-6453 700mA 70LA-3270 105LA-4870 135LA-6470 1050mA 105LA-321A ¹ 160LA-481A 215LA-641A	CW Cool White 5,700K 70 CRI (nominal) NW Neutral White 4,000K 70 CRI (nominal) WW ⁴ Warm White 3,000K 70 CRI (nominal)	120 120V 208 208V 240 240V 277 277V 347 347V 480 480V UNV 120-277V 50hz/60hz HVU 347-480V 50hz/60hz	BRP Bronze Paint BLP Black Paint WP White Paint NP Natural Paint OC Optional Color Specify optional color or RAL (ex: OC-LGP or OC-RAL7024) SC Special color Specify, must supply color chip. Requires factory quote.	TL Tool-Less entry and driver removal hardware TB ³ Terminal Block IS ⁶ Internal Shield LF ⁷ Line Fusing LFC ⁷ Line Fusing for Canada PC ^{5,7,8} Receptacle with Photocell (Includes PCRS) PCB ^{5,7,8} Photocell Button PCR5 ^{5,11,13} Photocell Receptacle only with 2 dimming connections PCR7 ^{5,12,13} Photocell Receptacle only with 2 dimming and 2 auxiliary connections RAM Retrofit Arm Mount kit PTF2 ⁹ Pole Top Fitter for 2 3/8" - 3" Tenon PTF3 ⁹ Pole Top Fitter for 3" - 3 1/2" Tenon PTF4 ⁹ Pole Top Fitter for 3 1/2" - 4" Tenon RPA ¹⁰ Round Pole Adapter for 3" - 3.9" O.D. BD Bird Deterrent (field installed only)

- Available in 120V-277V Voltages only (UNV, 120, 208, 240 & 277).
- MR50 and APD-MRO luminaires require one motion sensor per pole, ordered separately. See page 9 of the ECF spec sheet for Accessories. Available in 120V or 277V only.
- ECF-MRI requires outboarded sensor when used with Terminal Block (TB) Option.
- Contact factory for lead times on warm white.
- LLC2/LLC3/LLC4 Wireless Controls are not configurable with PC/PCB/PCR5/PCR7 Options. See page 7-8 of ECF spec sheet for more info.
- Not configurable with Type 5 (5) Optics.
- Not configurable with 120-277V (UNV) Voltage. Voltage must be specified.
- Not configurable with 480V (480) Voltage.
- Not configurable with 3@120 (3@120) Mounting.
- No adaptor required for 4" round poles. RPAs provided with Black Paint standard.
- Works with 3-pin or 5-pin NEMA photocell/dimming device.
- Works with 3-pin or 5-pin NEMA photocell/dimming device and auxiliary connections are not connected (for future use only).
- If ordered with DIM, APD, MRI, MR50, APD-MRI, APD-MRO, dimming will not be connected to NEMA receptacle.

EcoForm
.....
Site & Area
.....
Specifications
.....

EcoForm Accessories (order separately)

FS1R-100

MR hand held programmer

For use with 'MRI' motion response when field programming is required. If desired, only one is needed per job.

MS-A-120V

120V Input Area Motion Sensor

For MR50 (Motion Response) or APD-MRO (Automatic Profile Dimming with Motion Response Override)

MS-A-277V

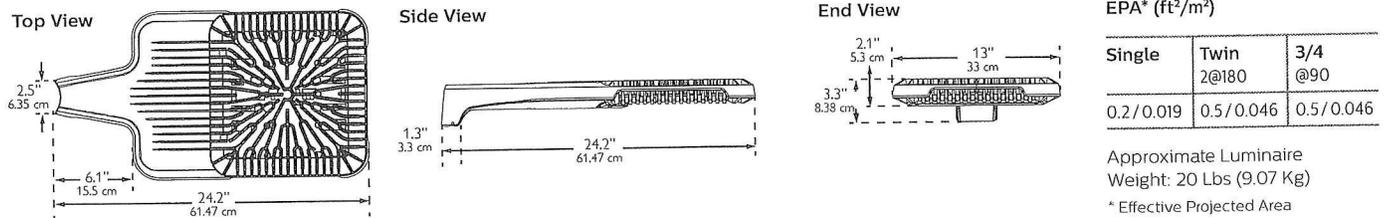
277V Input Area Motion Sensor

For MR50 (Motion Response) or APD-MRO (Automatic Profile Dimming with Motion Response Override)

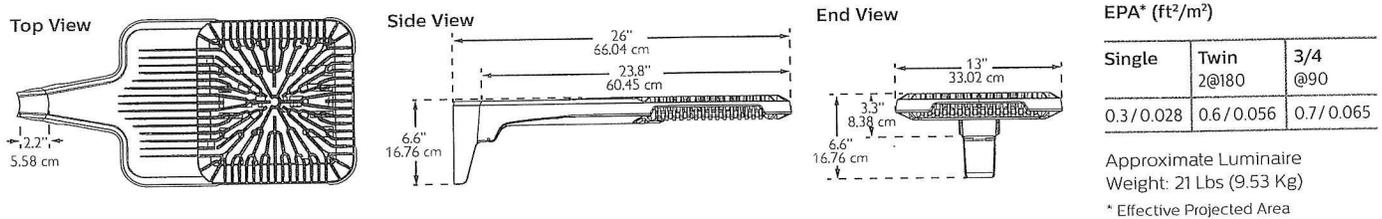
Prior to ordering, consult web based submittal data sheets for the most current information, notes and exclusions. Philips Gardco reserves the right to change materials or modify the design of its product without notification.

Note: Motion Sensors are ordered separately, with one (1) motion sensor required per pole location for MR50 or APD-MRO luminaires. See Luminaire Configuration Information on page 5 of the ECF spec sheet for more details. Area motion sensor color is Arctic White. MRI and APD-MRI luminaires include an integral motion sensor.

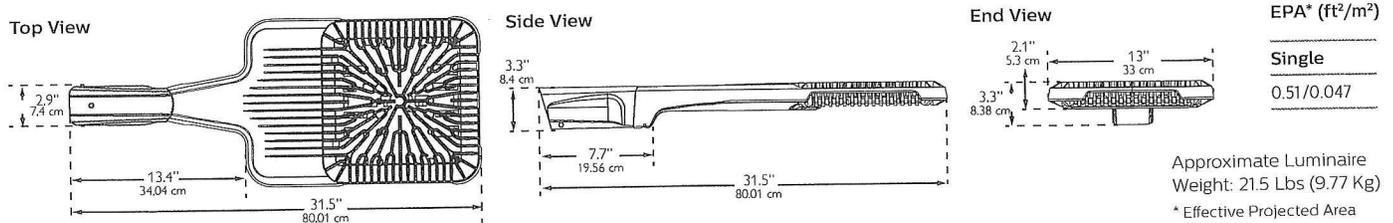
Dimensions – Standard EcoForm luminaire



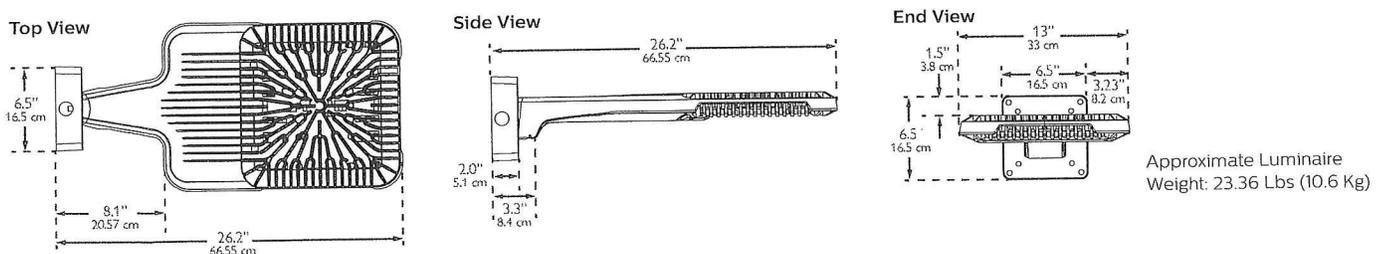
Dimensions – EcoForm with Retrofit Arm Mount (RAM)

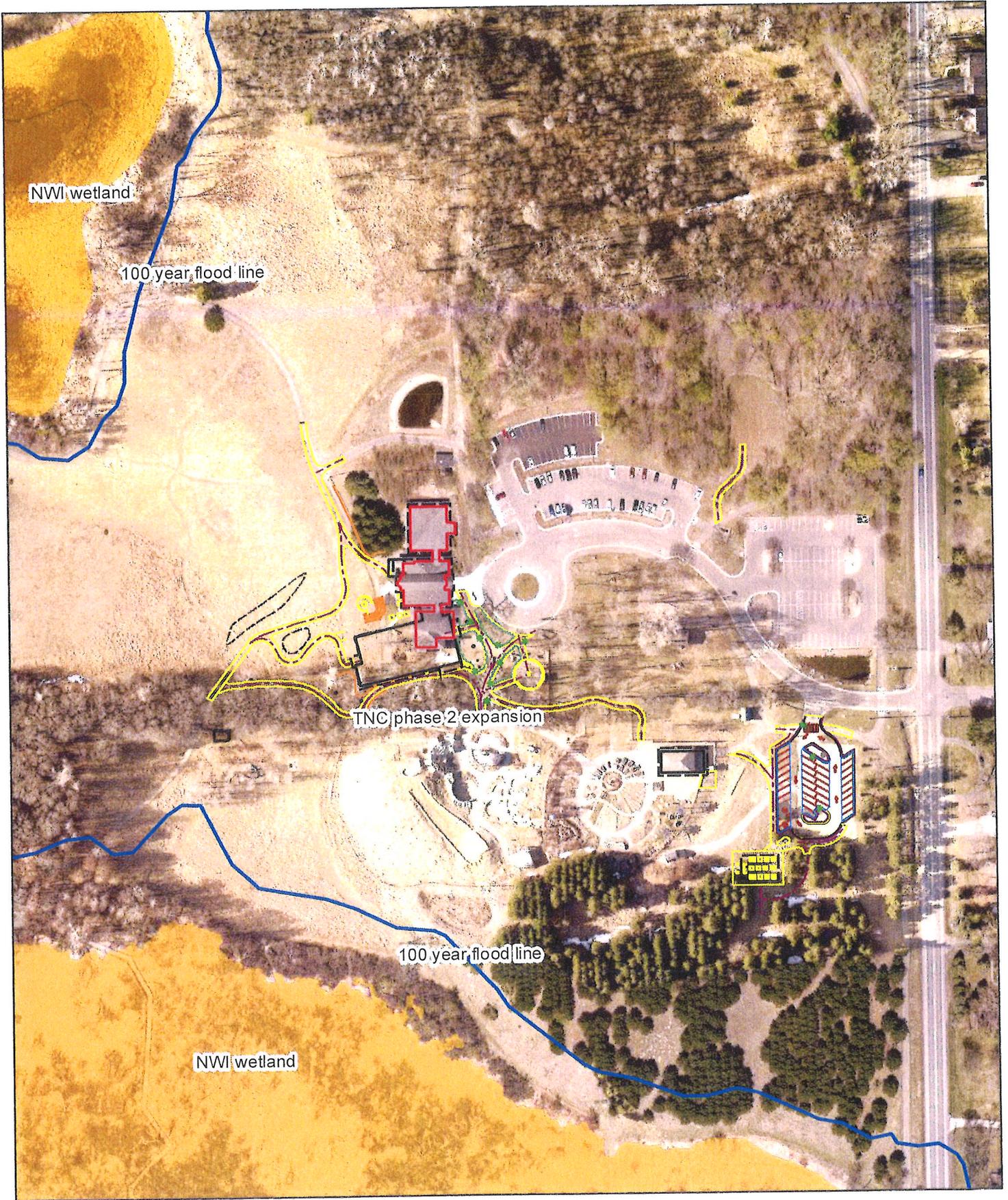


Dimensions – EcoForm with Mast Arm Fitter (MA)



Dimensions – EcoForm with Wall Mount (WS)





NWI wetland

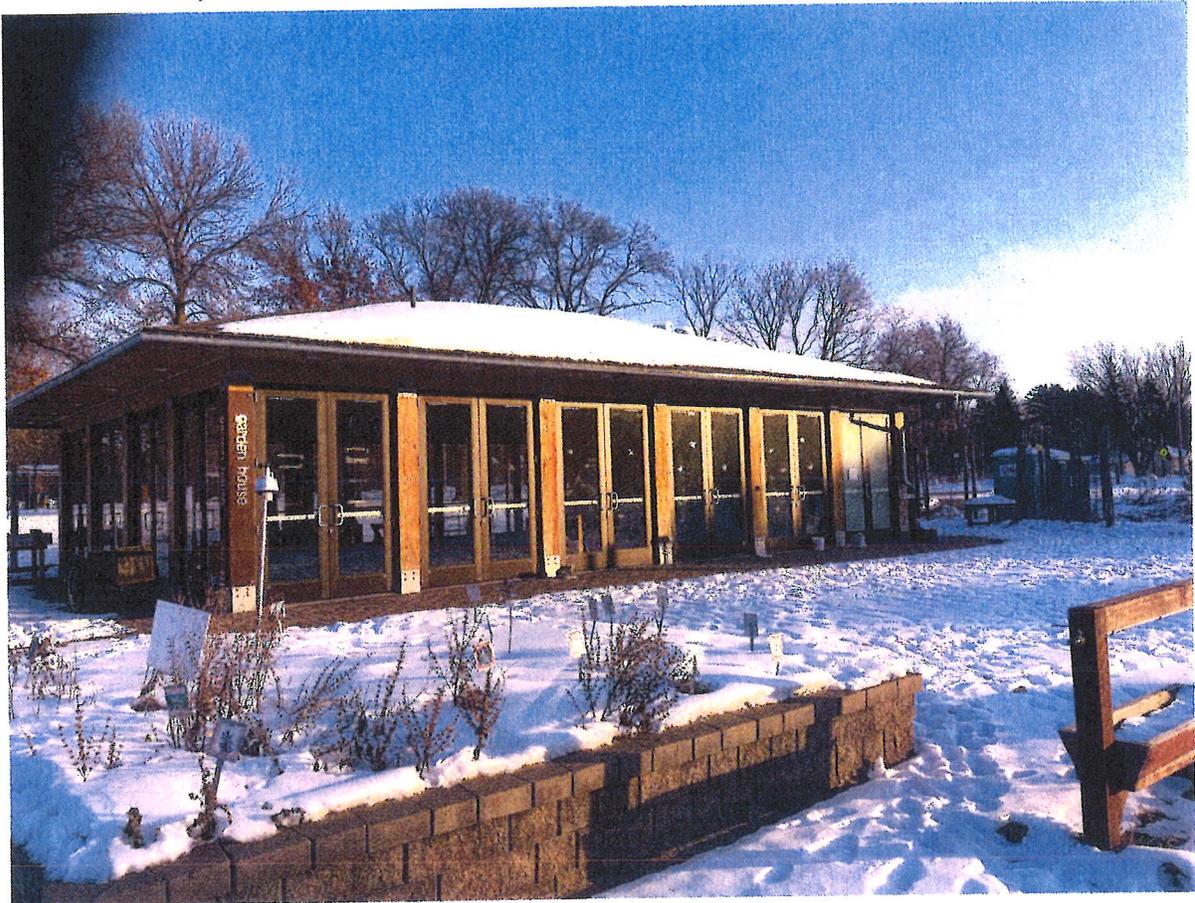
100 year, flood line

TNC phase 2 expansion

100 year, flood line

NWI wetland





Existing Garden House.jpg



Proposed Large Shelter 1.JPG



NOTICE OF HEARING REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW AN ADDITION TO THE NATURE CENTER BUILDING & OTHER IMPROVEMENTS AT THE TAMARACK NATURE CENTER IN WHITE BEAR TOWNSHIP, RAMSEY COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN, That the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, will meet at either the Township Administrative Office, 1281 Hammond Road or Heritage Hall, 4200 Otter Lake Road, location to be determined at a later date, in said Town on Monday, June 15, 2020 at 7:00 p.m., to consider the request for the granting of a Conditional Use Permit to allow an addition to the nature center building and other improvements at the Tamarack Nature Center in the Town of White Bear, Ramsey County, Minnesota, lying and being in the area described as follows:

The South half of the southeast quarter of the northwest quarter of Section 10, Township 30, Range 22, Ramsey County, Minnesota,

(5287 Otter Lake Road)

and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.

Given under my hand this 18th day of May, 2020.



PATRICK CHRISTOPHERSON, Clerk-Treasurer

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Carter Johnson, being first duly sworn, on oath states as follows:

- 1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:

Once a week, for one week, it was published on Wednesday, the 3rd day of June, 2020.

- 4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:

- a) Lowest classified rate paid by commercial users for comparable space
b) Maximum rate allowed by law for the above matter
c) Rate actually charged for the above matter \$ 18.76/inch

- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

We are a qualified newspaper in the following counties: Anoka, Ramsey and Washington

FURTHER YOUR AFFIANT SAITH NOT.

BY: [Signature]
TITLE: Carter Johnson, Publisher
PRESS PUBLICATIONS
4779 Bloom Avenue
White Bear Lake, MN 55110

Subscribed and sworn to before me on this 3rd day of June, 2020.

[Signature]
Notary Public



WHITE BEAR TOWNSHIP
NOTICE OF HEARING REQUEST
FOR A CONDITIONAL USE PERMIT TO ALLOW AN ADDITION TO THE NATURE CENTER BUILDING & OTHER IMPROVEMENTS AT THE TAMARACK NATURE CENTER IN WHITE BEAR TOWNSHIP, RAMSEY COUNTY, MINNESOTA
NOTICE IS HEREBY GIVEN, That the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, will meet at either the Township Administrative Office, 1281 Hammond Road or Heritage Hall, 4200 Otter Lake Road, location to be determined at a later date, in said Town on Monday, June 15, 2020 at 7:00 p.m., to consider the request for the granting of a Conditional Use Permit to allow an addition to the nature center building and other improvements at the Tamarack Nature Center in the Town of White Bear, Ramsey County, Minnesota, lying and being in the area described as follows:
The South half of the southeast quarter of the northwest quarter of Section 10, Township 30, Range 22, Ramsey County, Minnesota, (5287 Otter Lake Road)
and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.
Given under my hand this 18th day of May, 2020.
PATRICK CHRISTOPHERSON,
Clerk-Treasurer
Published one time in the White Bear Press on June 3, 2020.



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750

FAX 651-426-2258

Email: wbt@whitebeartownship.org

Board of Supervisors
ED M. PRUDHON, *Chair*
STEVEN A. RUZEK
SCOTT E. MCCUNE

June 4, 2020

Township Resident
White Bear Township, Minnesota 55110

Dear Interested Property Owner:

Enclosed for your information please find a **Notice of Hearing Request for a Conditional Use Permit to Allow an Addition to the Nature Center Building & Other Improvements at the Tamarack Nature Center in White Bear Township, Ramsey County, Minnesota.**

The Ramsey County Parks & Recreation Department is requesting approval of a Conditional Use Permit to allow construction the following site improvements:

- Finishing improvements to the parking lots & circulation to accommodate the current users
- Improving safety, security & comfort for year round visitors
- Complete the main building renovation & incorporate the programing building into the main visitor center
- Renovation of existing visitor center structure
- Complete accessibility & code compliance updates

The Public Hearing on the matter has been scheduled for **Monday, June 15, 2020, at 7:00 p.m. @ Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.**

If you would like to know more about the proposal and/or would like to give public comment, please plan to attend.

If you have any questions but are unable to attend the meeting, please contact Tom Riedesel, Planner, at 651-747-2761 or via e-mail at tom.riedesel@ci.white-bear-township.mn.us.

Sincerely,

Patti Walstad
Deputy Clerk

PSW/s
Enc.
cc:admin/add.file



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5005 OTTER LAKE ROAD
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RESIDENT
1290 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1567 SENECA TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1490 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5106 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1579 LORANE AVENUE
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5427 FISHER STREET
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5420 SAXONY COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5417 FISHER STREET
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5428 TOWNSHIP DRIVE
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5424 SAXONY COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5118 OTTER LAKE ROAD
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RESIDENT
1560 STILLWATER STREET
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5422 SAXONY COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5124 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5029 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5426 SAXONY COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1550 STILLWATER STREET
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1508 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1566 SENECA TRAIL
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1555 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

RAMSEY CTY PARKS & REC
2015 VAN DYKE ST N
MAPLEWOOD MN 55109

RESIDENT
1357 COUNTY ROAD H-2
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1474 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1500 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5426 FEATHER COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5025 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

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5064 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1363 COUNTY ROAD H-2
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5425 TOWNSHIP DRIVE
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5370 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1567 HENNESSY VISTA
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5420 BRITTANY COURT
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5360 OTTER LAKE ROAD
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5094 OTTER LAKE ROAD
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RESIDENT
5428 BRITTANY COURT
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RESIDENT
5411 NORMANDY COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5427 FEATHER COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5417 TOWNSHIP DRIVE
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5380 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5270 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5427 BRITTANY COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5280 OTTER LAKE ROAD
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RESIDENT
1564 LORANE AVENUE
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1582 LORANE AVENUE
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1571 LORANE AVENUE
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5084 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1548 HENNESSEY VISTA
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5350 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5419 NORMANDY COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1350 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5300 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5427 NORMANDY COURT
WHITE BEAR TOWNSHIP MN 55110

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4855 BLOOM AVENUE
WHITE BEAR LAKE MN 55110

RESIDENT
1367 COUNTY ROAD H-2
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5328 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1343 COUNTY ROAD H-2
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1564 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5419 BRITTANY COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1335 COUNTY ROAD H-2
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5030 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5409 BRITTANY COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5405 TOWNSHIP DRIVE
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5018 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5428 SAXONY COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1355 COUNTY ROAD H-2
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5010 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5410 NORMANDY COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5226 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5353 LAVALLE COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5030 CENTERVILLE ROAD
WHITE BEAR TOWNSHIP MN 55127

RESIDENT
5260 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1370 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5431 TOWNSHIP DRIVE
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5236 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5326 OTTER LAKE ROAD
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5426 NORMANDY COURT
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1311 COUNTY ROAD H-2
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
1568 HENNESSY VISTA
WHITE BEAR TOWNSHIP MN 55110

RESIDENT
5418 NORMANDY COURT
WHITE BEAR TOWNSHIP MN 55110

*Rcy City Parks & Rec
2015 Van Dyke
Maplewood MN 55110*



CONDITIONAL USE PERMIT APPLICATION FORM

INTRODUCTION

A Conditional Use Permit may be granted or denied by the Town Board after recommendation by the Planning Commission in accordance with Ordinance No. 35 (Zoning), Section 9-4, Conditional Use Permit Procedure.

APPLICANT(S) Ramsey County Parks and Recreation PHONE (Home) 651-748-2500
Attn: Brett G. Blumer (Business) _____
(Cell) _____

ADDRESS 2015 Van Dyke Street
Maplewood, MN 55109

PROPERTY OWNER Ramsey County Parks

ADDRESS OF SITE 5287 Otter Lake Road ZONING _____

EXISTING USE OF SITE Tamarack Nature Center

DESCRIPTION OF CONDITIONAL USE BEING REQUESTED
Final Development Phase Design and Construction

Credit Card Fee (\$75.00 plus \$200.00 Expense Deposit)

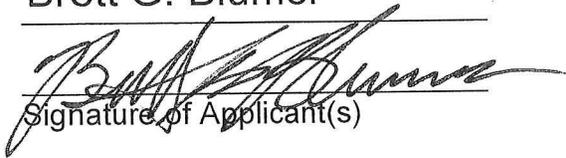
CHECKLIST:

- _____ Site Plan
- _____ Building locations (dwelling, garage, accessory building).
- _____ Site improvements (parking areas, drives, sidewalks, fences, decks, lighting, etc.).
- _____ Yard (front, side, rear setbacks).
- _____ Wetlands (delineation of streams, water bodies, wetlands & 100 year storm elevation).
- _____ Existing trees (6 inch in diameter or more), large shrubs & proposed landscaping.
- _____ Location of site, with adjacent land use.
- _____ Topography, grading.

It is the policy of White Bear Township that all identifiable costs associated with Conditional Use Permits within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.

Brett G. Blumer


Signature of Applicant(s)

4-01-2020

Date

<u>To Be Completed By Office:</u>	
Date Request Received <u>4/1/2020</u>	cc payment 0736
By <u>Karen</u> (Staff Member)	\$75.00 Fee + \$200 Deposit Received <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date Application Complete _____	

STATE OF MINNESOTA
COUNTY OF RAMSEY

TOWN OF WHITE BEAR
Office of Town Clerk/Treasurer

CONDITIONAL USE PERMIT

IN CONSIDERATION of the statements made by RAMSEY COUNTY PARKS AND RECREATION DEPARTMENT, Mark McCabe, Director, in their application therefor duly filed in this office, which Application is made a part hereof, and a showing by the applicant that the standards and criteria set forth in Ordinance No. 35 (Zoning) for Conditional Use Permits will be satisfied, a public hearing thereon having been held as provided by statute and ordinance, PERMISSION IS HEREBY GRANTED To said Ramsey County Parks and Recreation Department to construct a new early childhood learning center, Tamarack Nature Center/Trail Head building; construction of a nature play area and children’s center; construction of an 81 space parking lot with lighting; construction of a 3,200-foot long by 6-foot wide bituminous trail; construction of a bicycle pedestrian path and to upgrade an existing trail; construction of a garage auxiliary to the nature center; construction of an off-road trail along Otter Lake Road between Hammond Road and County Road H-2, a 2,100 square foot addition, and a 263 square foot conference room addition onto the Nature Center building, relocation of entry/exit, reconfiguration of the existing parking lot, addition of new paved lot, a new lot with permeable paving and a gravel overflow parking lot, reconfiguration of trails, construction of the drive lane within the property, addition of filtration basins, new early childhood learning center building, finishing improvements to the parking lots, completion of the main building and visitor center renovation, and various other improvements outlined in the master plan, in accordance with the attached Requirements, upon a tract of land lying and being in the Town of White Bear, described as follows: The South half of the southeast quarter of the northwest quarter of Section 16, Township 30, Range 22, Ramsey County, Minnesota; Address: 5287 Otter Lake Road, which tract is of the size and area specified in said application.

This permit is granted upon the express condition that said owner and his contractors, agents, workmen and employees shall comply in all respects with the ordinances of the Town of White Bear and the Special Requirements attached hereto and made a part hereof.

Given under the hand of the Town Clerk/Treasurer and the Seal of the Town Clerk this 15th day of June, 2020.

TOWN CLERK/TREASURER

STATE OF MINNESOTA)
COUNTY OF RAMSEY) ss.
TOWN OF WHITE BEAR)

THIS INSTRUMENT WAS DRAFTED BY:
WHITE BEAR TOWNSHIP
1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP MN 55110

I, the undersigned, being the duly qualified and acting Clerk of the Town of White Bear, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the attached and foregoing Conditional Use Permit with the original records and files of said Town, and that the same is a full, true, and correct transcript therefrom.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Town Clerk’s Seal this 15th day of May, 2020.

TOWN CLERK/TREASURER



ZONING CERTIFICATE

I hereby certify that the real estate situated in the Town of White Bear, Ramsey County, Minnesota, described as follows, to-wit: The South Half of the southeast quarter of the northwest quarter of Section 10, Township 30, Range 22, Ramsey County, Minnesota, and commonly known as: 5287 Otter Lake Road, is in a(n) O-S Open Space District and can be used for the following purpose: construction of a new early childhood learning center, nature play area and children's center; construction of a new Tamarack Nature Center/Trail head building; construction of an 81 space parking lot with lighting; construction of a 3,200-foot long by 6-foot wide bituminous trail; construction of a bicycle path and to upgrade an existing trail; construction of a garage auxiliary to the nature center; construction of an off-road trail along Otter Lake Road between Hammond Road and County Road H-2, a 2,100 square foot addition, a 263 square foot conference room addition onto the Nature Center Building, relocation of entry/exit, reconfiguration of the existing parking lot, addition of new paved lot, a new lot with permeable paving and a gravel overflow parking lot, reconfiguration of trails, construction of the drive lane within the property, addition of filtration basins, new early childhood learning center building, finishing improvements to the parking lots, completion of other main building and visitor center renovation, and various other improvements outlined in the master plan, all in accordance with the attached Requirements, pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: June 15, 2020.

TOWN CLERK

- CONDITIONAL USE
- PERMITTED USE
- NON-CONFORMING USE
- SPECIAL HOME OCCUPATION
- OTHER: _____



CONDITIONAL USE PERMIT REQUIREMENTS

Tamarack Nature Center
5287 Otter Lake Road
White Bear Township, MN 55110

THIS CONDITIONAL USE PERMIT SUPERSEDES THE CONDITIONAL USE PERMITS DATED JUNE 20, 1988; OCTOBER 24, 1991, AND FILED OF RECORD JANUARY 21, 1992 AS DOCUMENT NO. 2633331; SEPTEMBER 21, 1993, AND FILED OF RECORD NOVEMBER 9, 1993 AS DOCUMENT NO. 2761202; NOVEMBER 18, 1996, AND FILED OF RECORD MAY 12, 1997 AS DOCUMENT NO. 2991582; AUGUST 14, 1997, AND FILED OF RECORD ON JULY 31, 1998, AS DOCUMENT NO. 3075924; AND MARCH 20, 2000, AND FILED OF RECORD ON JUNE 7, 2000, AS DOCUMENT NO. 3326466; SEPTEMBER 21, 2009; SEPTEMBER 15, 2014; FEBRUARY 17, 2016; MAY 2, 2016.

The following plans are made a part hereof by reference:

- Illustrative Site Plan dated March 2020;
- Existing Conditions Survey dated 5/9/19, Sheet 1;
- Existing Conditions Survey dated 5/9/19, Sheet 2;
- Existing Conditions Survey dated 5/9/19, Sheet 3;
- Existing Conditions Plan dated 4/1/20, Sheet RW 2.0;
- Main Bldg/Sugar Shack Exist Cond. Removals Plan dated 4/1/20, Sheet RW 2.1;
- Garden/Shelter Existing Conditions Removals Plan dated 4/1/20, Sheet RW 2.2;
- Small Shelter Existing Conditions Removals Plan dated 4/1/20, Sheet RW 2.3;
- Overall Site Plan Key dated 4/1/20, Sheet RW 3.0;
- Main Bldg/Sugar Shack Site Plan dated 4/1/20, Sheet RW 3.1;
- Garden/Shelter Area Site Plan dated 4/1/20, Sheet RW 3.2;
- Small Shelter Area Site Plan dated 4/1/20, Sheet RW 3.3;
- Main Bldg/Sugar Shack Exist. Cond, Grading Plan dated 4/1/20, Sheet RW 4.1;
- Garden Shelter Grading Plan dated 4/1/20, Sheet RW 4.2;
- Main Bldg/Sugar Lighting Plan dated 4/1/20, Sheet RW 5.1;
- Garden House/Shelter Area Lighting Plan dated 4/1/20, Sheet RW 5.2;
- Main Building Landscaping Plan dated 4/1/20, Sheet RW 6.0;
- Main Bldg Landscape Plan dated 4/1/20, Sheet RW 6.1;

- Site Plan dated 4/1/20, Sheet RW 6.2;
- Overall Utility Layout dated 2/27/20, Revised 3/18/20, Sheet C1.0;
- Utility Removal Plan Program Building dated 2/27/20, Revised 3/18/20, Sheet C1.1;
- Utility Plan Program Building dated 2/27/20, Revised 3/18/20, Sheet C1.2;
- Utility Plan Garden & Large Shelter Buildings dated 2/27/20, Revised 3/18/20, Sheet C1.3;
- Storm Sewer Plan Program Building – South dated 2/27/20, Revised 3/18/20, Sheet C2.0;
- Storm Sewer Plan Program Building – North dated 2/27/20, Revised 3/18/20, Sheet C2.1;
- Storm Sewer Plan Garden & Large Shelter Buildings dated 2/27/20, Revised 3/18/20, Sheet C2.2;
- Floor Plan-Overall-Demo dated 3/27/20, Page 1;
- Floor Plan-Overall-Proposed dated 3/27/20, Page 2;
- Floor Plan-North dated 3/27/20, Page 3;
- Floor Plan-South dated 3/27/20, Page 4;
- Exterior Elevation-East dated 3/27/20, Page 5;
- Exterior Elevation-West dated 3/27/20, Page 6;
- Exterior Elevation-South dated 3/27/20, Page 7;
- Exterior Elevation-North dated 3/27/20, Page 8;
- Floor Plan dated 3/27/20, Page 9;
- Exterior Elevation-North dated 3/27/20, Page 10;
- Exterior Elevation-South dated 3/27/20, Page 11;
- Exterior Elevation-West (L) & East R dated 3/27/20, Page 12;
- Floor Plan dated 3/27/20, Page 13;
- Elevations dated 3/27/20, Page 14;
- Large Shelter Concept Details, dated 4/1/20, Sheet RW X.O;
- Title/Index Contacts dated 12/21/15, Sheet 0.0;
- Code Review Plan dated 12/21/15, Sheet 0.1;
- Site Plan dated 12/21/15, Sheet 0.2;
- Demolition Plan dated 12/21/15, Sheet 1.1;
- Floor Plan dated 12/21/15, Sheet 1.2;
- Roof Plan dated 12/21/15, Sheet 1.3;
- Building Sections Plan dated 12/21/15, Sheet 2.1;
- Exterior Elevations Plan dated 12/21/15, Sheet 3.1;
- Interior Details Plan dated 12/21/15, Sheet 4.2;
- Room Schedule Plan dated 12/21/15, Sheet 4.12;
- Electrical Plan dated 12/21/15, Sheet 5.1;
- Mechanical Plan dated 12/21/15, Sheet 6.0;
- Title Sheet dated 7/22/14, Sheet A.0.0;
- Floor Plan dated 8/6/14, Sheet A.2.0;
- Floor Plan dated 8/6/14, Sheet A.2.1;
- Exterior Elevations dated 7/22/14, Sheet A.3.0;
- Exterior Elevations dated 7/22/14, Sheet A.3.1;
- Perspective Sketches dated 7/22/14, Sheet A.5.0;

- Perspective Sketches dated 7/22/14, Sheet A.5.2;
- Site Plan Phase I dated 8/7/14, Sheet L1;
- Schematic Plan Phase II dated 8/7/14, Sheet L2;
- Phase I – Removals/Erosion Control dated 8/7/14, Sheet L3;
- Phase I – Site/Grading Plan dated 8/7/14, Sheet L4;
- Phase I – Landscape Plan dated 8/7/14, Sheet L5;
- Details Plan dated 8/7/14, Sheet L6;
- Cover Sheet dated 7/17/09. Sheet A0.0;
- Arbor Plan & Details dated 7/17/09, Sheet A2.0;
- Garden Entry Trellis dated 7/17/09, Sheet A2.1;
- Erosion Control Plan dated 7/17/09, Sheet C1.0;
- Utility Plan dated 7/17/09, Sheet C2.0;
- Civil Details dated 7/17/09, Sheet C3.0;
- Storm Water Pollution Prevention Plan dated 7/17/09, Sheet C4.0;
- Topographic Survey;
- Demolition & Tree Protection Plan dated 7/17/09, Sheet L1-1;
- Grading Plan dated 7/17/09, Sheet L2-1;
- Detail Reference Plan dated 7/17/09, Sheet L3-1;
- Plant List dated 7/17/09, Sheet L6-0;
- Planting Plan dated 7/17/09, Sheet L6-1;
- Planting Plan dated 7/17/09, Sheet L6-2;
- Planting Plan dated 7/17/09, Sheet L6-3;
- Planting Plan dated 7/17/09, Sheet L6-4;
- Planting Plan dated 7/17/09, Sheet L6-5;
- Construction Details dated 7/17/09, Sheet LD7;
- Construction Details dated 7/17/09, Sheet LD8;
- Construction Details dated 7/17/09, Sheet LD10;
- Construction Details dated 7/17/09, Sheet LD11;
- Garden Building - Cover Sheet Code Review dated 7/17/09, Sheet A0.0;
- Garden Building - Floor Plan Dated 7/17/09, Sheet A2.0;
- Garden Building – Exterior Elevations, Sheet A5.0;
- Site Plan dated 11/19/02, Sheet #A100;
- Exterior Elevation Plans dated 11/18/02, Sheet #A500, A501;
- Illustrative Site Plan RW 1.0 dated 3/2016;
- Technical Site Plan RW 2.0 dated 3/2016;
- Location, Topographic & Utility Survey dated 12/2/13;
- Location, Topographic & Utility Survey dated 7/24/14;
- Topographic Survey dated 5/1/08;
- Grading Plan RW 3.0 dated 3/2016;
- Landscape Plan RW 4.0 dated 3/2016;
- Site Lighting plan RW 5.0 dated 3/2016;
- Details Plan RW D dated 1/2016;
- Entrance Sign & Kiosk Details RWD dated 1/2016;
- Trash Enclosure Details BD 10.1 dated 1/2016; and
- Soil Boring Plan dated 9/12/14.

1. Phase II plans require a new Conditional Use Permit.
2. Payment of all fees including any additional Metropolitan Sewer Availability Charge (SAC), Water Availability Charge (WAC), and local SAC charges shall be made.
3. That the Ramsey County Sheriff's Department shall provide adequate police services to the entire Nature Center site and building. These services shall include routine patrol; response to call; and periodic surveillance of the 500 foot trail from the parking lot to the Center. Any concerns by the Town regarding police service at the Nature Center shall be immediately addressed by the Ramsey County Parks and Recreation Department.
4. When the final design is initiated, a future stormwater plan and environmental review and approval shall be required prior to any land disturbing activities in order to meet MS4 Permit requirements.
5. All requirements of the Fire Inspector attached hereto shall be complied with.
6. All State and Federal and local laws and Ordinances shall be complied with.

PREVIOUS REQUIREMENTS WHICH HAVE
BEEN SATISFIED AS OF THE DATE OF THIS DOCUMENT

1. That the Ramsey County Parks and Recreation Department shall remove the mobile home on the property by July 1, 1989.
2. That the details of the connection from the Town sewer and water facilities to the new building should be provided for review by the Town Code Enforcement Officer and the Town Engineer.
3. That in addition to the SAC and WAC charges to be incurred by the County, there will be an additional \$4,420.00 connection charge payable to the Town.
4. That the County shall increase the size and pave the parking lot to accommodate a total of 81 cars and to provide lighting for the parking lot and trail, pursuant to the County Parking Lot Plan dated October 7, 1991.
5. That the County shall construct a permanent gate to the parking area from Otter Lake Road, pursuant to the County Parking Lot Plan dated October 7, 1991.
6. That the County will construct a 3,200 foot long by 6 foot wide bituminous trail on the property.
7. That the County will upgrade the existing trail running through the nature center as shown on the Ramsey County SAP 62-030-02 Plan, Pages 1-8, dated August 6, 1996.
8. That the County will construct a garage auxiliary to the nature center building, as shown in the Plans dated August 8, 1997, attached hereto.
9. That the garage shall not exceed 24' x 26' in size. The total square footage of all current and existing accessory structures shall not exceed 1,200 square feet.
10. That the color and building material used for the garage shall match the nature center building.
11. The accessory structure that houses the ski equipment shall be removed.
12. That the Ramsey County Parks and Recreation Department will continue to follow their past procedures in paying their fair share costs of "linear front footage assessments" for public water and

sanitary sewer service improvements in accordance with the Ramsey County Board of Commissioners Resolution No. 77-355 dated March 14, 1977, a copy of which is attached hereto.

13. That the County will construct a bicycle pedestrian path adjacent to Otter Lake Road pursuant to the Birch Lake Regional Trail Extension Plans dated 2/4/2000.
14. The new addition shall have a fire suppression system.
15. The Utility Plan for the addition shall be forwarded to the Township Engineer for review and approval.
16. The existing Nature Center main building shall have a fire suppression system if it is linked to the new learning center building.
17. The Utility Plan for the addition shall be forwarded to the Township Engineer for review and approval.
18. That the Nature Center Building shall have the following on the outside of the building:
 - Street Number;
 - Street Name; and
 - Name of Community – Town of White Bear.
19. That the Landscape Plan drafted by the Ramsey County Parks and Recreation Department dated October 7, 1991, is made a part hereof by reference.
20. The sign to be constructed as part of the approved plan shall identify the name of the community as "White Bear Township".
21. Otter Lake Road may be identified as a future snowmobile corridor. Any trail constructed in the public right-of-way shall be constructed so as to accommodate snowmobiles. Any snowmobiles permitted on this section of trail shall not have metal studs.
22. The entire Nature Center building shall have fire suppression added with the conference room addition.

TR/psw
cc:admin/add.file
b:tamarackrequirements20june



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

May 5, 2020

Ramsey County Parks and Recreation
2015 Van Dyke St.
Maplewood, MN 55109

RE: General Building Plan Review

Project: Tamarack Nature Center
5271 Otter Lake Road

The plans for the above project have been reviewed. Please review the comments listed below and let me know if you have any questions.

Specific Comments

- For all Fire related questions or inspections, please call (651) 762-4842.



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

General Comments

1. All roads and drive lane shall meet the White Bear Lake Fire Department requirements for widths and turning radiuses. Provide a layout showing White Bear Lake Fire Apparatus turning radius overlay on drive lanes.
2. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
3. The fire sprinkler system shall be installed compliant with provisions of 2016 NFPA Standard 13, Installation of Sprinkler Systems. City permit required **prior** to initiation of work. Building details shall be provided to determine if applicable.
4. The sprinkler system shall be current on annual inspection and testing. Any deficiencies noted during those reports shall be corrected.
5. The fire alarm system, shall be installed compliant with provisions of 2016 NFPA Standard 72, National Fire Alarm Code. City permit required **prior** to initiation of work.
6. The sprinkler system shall be properly monitored by a qualified monitoring company.
7. Install emergency egress illumination in the means of egress including exit discharge compliant with 2015 MSFC.
8. Install compliant exit signage as required by the 2015 MSFC.
9. Provide and install dry chemical fire extinguishers certified for service and tagged as required. Service classification rating shall be a minimum 2A classification rating and maximum travel distance of 75 feet to extinguishers. The minimum classification rating may be upgraded for special or extra hazard areas within the occupancy.
10. Provide information concerning combustibile interior finish materials used for this project. Interior finish materials shall be classified as required by 2015 MSFC as to flame spread and smoke development characteristics. Interior wall and ceiling finish shall have a flame spread index not greater than that specified in 2015 MSFC for the group of proposed occupancy and location of interior finish. Please furnish product specification sheets listing this information.
11. The required fire-resistance rating of rated construction shall be maintained. Openings through rated construction for the passage of wiring, sleeves, conduit, piping, etc. shall be protected by repair with approved materials which maintains the rating of the construction damaged, altered, breeched or penetrated.



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

12. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

Codes and Standards Used for this Review

- ❖ This review is based on the following codes and standards as adopted and in effect in the State of Minnesota at the time of plan submittal.
 - 2020 Minnesota State Fire Code
 - NFPA 72, 2016 edition
 - NFPA 13, 2016 edition

Thank You,

A handwritten signature in cursive script that reads "Kurt Frison".

Kurt Frison
Assistant Fire Chief / Fire Marshal
(651) 762-4842



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

UNIT	TOTAL LENGTH	CENTER WHEEL TO CENTER WHEEL (CENTER OF FURTHEST REAR AXEL)	FRONT WHEEL CENTER TO FRONT BUMPER	REAR WHEEL CENTER TO REAR BUMPER
AMBULANCE	276"	160"	38"	82"
L914	474.5"	237"	97"	108.5"
E925	403"	195"	98"	110"
R923	432"	218"	102"	112"
T916	422"	263"	70"	94"
L812	480"	276"	84"	126"



**Town Board Meeting
June 15, 2020**

Agenda Number: 7.B – Public Hearings

Subject: Right-of-Way Setback Variance Request @ 2317 Hoxie – Consider Granting a 25’ Right-of-Way Setback Variance to Allow Construction of a Garage

Documentation: Staff Memo w/attachments / Public Notice / Affidavit of Publication / Resident Letter & Mailing List / Variance Application Form

Action / Motion for Consideration:

- Note Proper Publication of the Hearing Notice in Newspaper & Waive Reading of Notice
- Open Public Hearing
- Open Public Comment Portion – Ask for Comments
- Close Public Portion of Hearing

Based on Variance Board, Planning Commission & Staff Review & Recommendation Approve the 25’ Right-of-Way Setback Variance to Allow Construction of a Garage at 2317 Hoxie

**Minutes
Planning Commission Meeting
June 3, 2020**

CONSENT AGENDA – GENTRI JORDAN, 2317 HOXIE – REQUEST FOR A 25’ RIGHT-OF-WAY SETBACK & 1.5’ SIDE YARD SETBACK VARIANCE TO ALLOW CONSTRUCTION OF A GARAGE: The Town Planner introduced this agenda item, stating this property is one of the few in the Township that has a functioning alley. Jordan is requesting approval of a 25’ right-of-way setback variance to allow construction of a new 32’ wide by 26’ deep garage. The alley is on the back side of the property, fronting Hoxie Avenue. The garage is proposed to be 10’ from the alley, and all but one property with this alleyway have garages that encroach into the setback area. Jordan’s current garage is about 26’ deep by 38’ wide, which encroaches into the side yard setback. The Town Planner cited multiple examples of properties in the Township abutting alleys that have had variances requested and approved for the right-of-way setback for the garage.

There was discussion of the finding of facts for this agenda item. Commissioner member Kotilinek wanted to ensure there was rational for approving this request, not just because “similar variances have been approved before”. Chair Denn explained that at the Variance Board meeting, the Town Building Inspector had asked questions, and upon answered questions, he had made the recommendation for approval. It was noted that due to the proximity of the neighbor’s garage, the Commission could state that a shortened overhang be installed, ensuring the encroachment is minimal, or at least looks less encroaching.

With the finding of facts that this property is a non-conforming lot, adjacent lots do not meet current setback requirements, all lots in the area have similar shapes, and several neighboring structures have received approval of variances.

Artner made the motion to approve the 25’ right-of-way setback & 1.5’ side yard setback variances to allow construction of a garage. Blin seconded. Ayes: Artner, Blin, Denn, Flann, Loes, Swisher, Kotilinek.

The public hearing for this agenda item is set to be Monday, June 15, 2020.

Minutes
Variance Board Meeting
May 19, 2020

GENTRI JORDAN, 2317 Hoxie – Request for a 25’ Right-of-Way Setback & a 1.5’ Side Yard Setback Variance to Allow Construction of a Garage: Riedesel summarized the request of Mr. Jordan to construct a new garage on his property. Mr. Jordan would like to construct the new 32’ wide by 26’ deep garage 6’ from the south side property line and 22’ from the north property line. The right-of-way setback variance is requested to keep the garage in line with neighboring garages.

Denn inquired as to why the side yard setback was requested as there is 22’ on the other side. Jordan stated that fence costs and removal of a tree played a role in the location.

Johnson asked the applicant if he had located the property corner and he stated he had. Johnson verified with the applicant that the new structure will line up with the neighboring structure at 2315 Hoxie, and it was noted that there would be an approximate 9’ separation between the two.

Johnson moved to recommend to the Planning Commission to recommend to the Town Board approve the 25’ right-of-way setback variance and 1.5’ side yard setback variances as requested to allow construction of a new garage. Denn seconded. Ayes all.

MEMORANDUM

TO: VARIANCE BOARD
FROM: TOM RIEDESEL
DATE: MAY 15, 2020

SUBJECT: GARAGE CONSTRUCTION

**REQUEST: 25' RIGHT-OF-WAY SETBACK VARIANCE & 1.5' SIDE
YARD SETBACK VARIANCE**
LOCATION: 2317 HOXIE AVENUE
APPLICANT: GENTRI JORDAN
PUBLIC
HEARING: REQUIRED

Mr. Jordan is requesting approval of a 25' right-of-way setback variance which would allow construction of a new 32' wide by 26' deep garage. The garage is proposed to be 10' from the alley on the rear side of the property which fronts on Hoxie Avenue. This neighborhood is one of the few in the Town which has functioning alleys. This alley serves 10 properties, and all have a garage which gains access via the alleyway. All but one of the garages which abut the alley encroach into the setback area. The existing garages on the east side of the alley have a fairly consistent setback.

Mr. Jordan has a 26'+/- by 38' wide garage fronting on the alley. The existing garage encroaches into the side yard setback on the south side of the property. The new garage as proposed, will be constructed 6' on the south side and 22' from the north property line. A variance from the right-of-way is requested in order to keep the new structure in-line with the other garages on the east side of the alley. Based on the lot width a 7.5' side setback is required. It appears that the garage could be shifted slightly to meet the side setback requirement.

In 2009, the Town reviewed a 20' right-of-way setback variance to construct a new garage at 2476 East Bald Eagle Boulevard. This garage was proposed at the end of the alley. A 15' setback variance was approved. At that time staff reviewed the address files of several houses and garages located along alleys, and found of the 9 garages abutting this alley, none had a history of variance approvals, which most likely means the structures predated the Zoning Ordinance. One garage was permitted to expand in 1985 without variance review. A variance should have been approved for the addition. Other homes or garages in the Township abutting alleys have received approval of variances, they include:

5451 Williams Avenue - 31.1' right-of-way (alley) setback variance to construct a second story on the home;

5433 Ridgeway - 15' right-of-way setback variance to construct a deck;

2676 First Street - 15' right-of-way (alley) setback variance to construct a home with attached garage;

2645 Stillwater Street - 15' right-of-way (alley) setback variance to construct a detached garage.

The abutting garage at 2315 Hoxie received approval of a 9' right-of-way setback variance IN 2011.

Section 9-6.4 of Ordinance No. 35 sets the standards which must be met in order to approve a variance. It states:

- (1). Without issuance of a variance, the provisions of this Ordinance would deprive the applicant of a reasonable use of property under the terms of this Ordinance.
- (2). That the special conditions and circumstances do not result from the actions of the applicant.
- (3). That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
- (4). That the proposed action will not unreasonably increase the congestion on public streets.
- (5). That the proposed action will not increase the danger of fire or endanger the public safety.
- (6). That the proposed action will not unreasonably diminish or impair established property values within the neighborhood or in any other way be contrary to the intent of this Ordinance.

Section 7-1.5 of Ordinance No. 35 states:

Front yard setback variances may be granted to conform to lesser setbacks of existing adjacent structures. For new structures, the minimum front yard setback shall not be less than twenty (20) feet.

Clearly a reduced setback abutting an alley is common. Therefore, not issuing a variance would deprive the applicants' rights common along this alley.

Since the garages along this portion of the alley line up, approval of the variance as requested can be supported by staff.

It is recommended that the garage be shifted slightly in order to meet the 7.5' side yard setback requirement.

TR/psw
cc:admin/add.file
b:jordan



Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Personal Properties

Notes

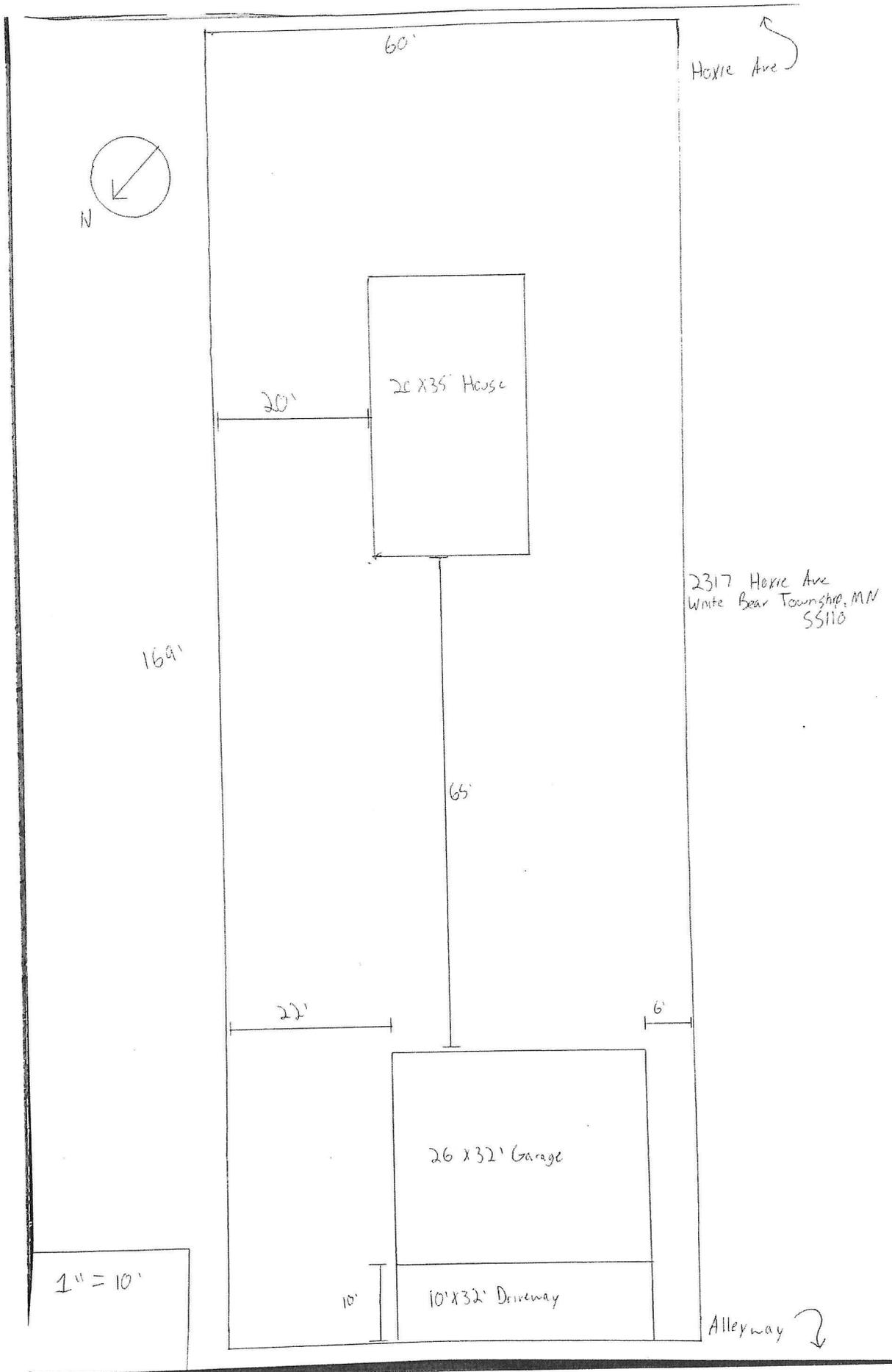
Enter Map Description

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

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**NOTICE OF HEARING REQUEST FOR A VARIANCE FROM ORDINANCE NO. 35
(ZONING) OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at either the Township Administrative Office, 1281 Hammond Road, or Heritage Hall, 4200 Otter Lake Road, location to be determined at a later date, in said Town on Monday, June 15, 2020 @ 7:00 p.m. to consider the following variance request:

- 25' Right-of-Way Setback Variance

to allow construction of a garage on the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:

Lot 24, Block 4, Shady Side Addition

(2317 Hoxie)

and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.

Given under my hand this 18th day of May, 2020.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Clerk-Treasurer

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Carter Johnson, being first duly sworn, on oath states as follows:

- 1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:

Once a week, for one week, it was published on Wednesday, the 3rd day of June, 2020.

- 4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:

- a) Lowest classified rate paid by commercial users for comparable space
b) Maximum rate allowed by law for the above matter
c) Rate actually charged for the above matter \$ 18.76/inch

- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

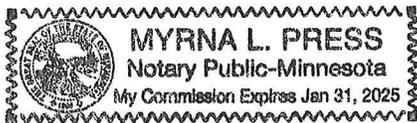
We are a qualified newspaper in the following counties: Anoka, Ramsey and Washington

FURTHER YOUR AFFIANT SAITH NOT.

BY: [Signature]
TITLE: Carter Johnson, Publisher
PRESS PUBLICATIONS
4779 Bloom Avenue
White Bear Lake, MN 55110

Subscribed and sworn to before me on this 3rd day of June, 2020.

[Signature]
Notary Public



WHITE BEAR TOWNSHIP
NOTICE OF HEARING REQUEST
FOR A VARIANCE FROM ORDINANCE NO. 35 (ZONING)
OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA
NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at either the Township Administrative Office, 1281 Hammond Road, or Heritage Hall, 4200 Otter Lake Road, location to be determined at a later date, in said Town on Monday, June 15, 2020 @ 7:00 p.m. to consider the following variance request:
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to allow construction of a garage on the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:
Lot 24, Block 4, Shady Side Addition
(2317 Hoxie)
and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.
Given under my hand this 18th day of May, 2020.
BY ORDER OF THE TOWN BOARD OF SUPERVISORS
PATRICK CHRISTOPHERSON,
Clerk-Treasurer
Published one time in the White Bear Press on June 3, 2020.



**WHITE BEAR
TOWNSHIP**

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750

FAX 651-426-2258

Email: wbt@whitebeartownship.org

Board of Supervisors
ED M. PRUDHON, *Chair*
STEVEN A. RUZEK
SCOTT E. MCCUNE

June 4, 2020

Township Resident
White Bear Township, Minnesota 55110

Re: Variance Request

Dear Resident:

Enclosed please find a **Notice of Hearing Request for a Variance from Ordinance No. 35 (Zoning) of the Town of White Bear, Ramsey County, Minnesota.**

The owner of property at 2317 Hoxie is requesting approval of a 25' right-of-way setback variance to allow construction of a garage.

The Public Hearing on the matter is scheduled for **Monday, June 15, 2020 @ 7:00 p.m. at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.**

If you have any questions regarding this matter please plan to attend the meeting or you may contact Tom Riedesel, Planner, at 651.747.2761 or via email at tom.riedesel@whitebeartownship.org.

Sincerely,

Patti Walstad
Deputy Clerk

PSW/s
Enc.
cc:admin/add.file



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Easy Peel® Address Labels
Bend along line to expose Pop-up Edge®Go to avery.com/templates
Use Avery Template 5160

Parcel ID: 123022220039

PATRICIA SUE CARLSON
5436 WILLIAMS AVE
SAINT PAUL MN 55110

Parcel ID: 123022220042

DANIEL T GIFFORD
2329 HOXIE AVE
WHITE BEAR TOWN MN 55110-2341

Parcel ID: 123022220064

STEVEN T STEIDL, LAURA M STEIDL
5427 WILLIAMS AVE
WHITE BEAR TOWN MN 55110-2368

Parcel ID: 123022220044

BOBBY J BERNIER
2337 HOXIE AVE
SAINT PAUL MN 55110-2341

Parcel ID: 123022220066

**HAROLD M ANDERSON TRUSTEE, MARIE F
ANDERSON TRUSTEE**
5443 RIDGEWAY ST
WHITE BEAR LAKE MN 55110-2360

Parcel ID: 123022220065

RICHARD C MOTT
5431 WILLIAMS AVE
WHITE BEAR TOWN MN 55110-2368

Parcel ID: 123022220019

CRAIG D BERRES
2330 HOXIE AVE
WHITE BEAR LAKE MN 55110-2340

Parcel ID: 123022220096

PHILIP R MANSON, BRENDA M MANSON
5421 RIDGEWAY ST
WHITE BEAR LAKE MN 55110-2360

Parcel ID: 123022220020

MICHELE M ARNT
2336 HOXIE AVE
WHITE BEAR LAKE MN 55110-2340

Parcel ID: 123022220034

CAROL A ARVIG
2336 GASTON AVE
WHITE BEAR TOWN MN 55110-2337

Parcel ID: 123022220097

BRIAN L PIERCE
1659 W STATE HIGHWAY 46 STE 115-115
NEW BRAUNFELS TX 78132-4745

Parcel ID: 123022220102

PETER J MERRIMAN, KELLY R MERRIMAN
2335 GASTON AVE
WHITE BEAR LAKE MN 55110-2338

Parcel ID: 123022220038

SARAH M BANKEN
5432 WILLIAMS AVE
WHITE BEAR TOWNSHIP MN 55110-2389

Parcel ID: 123022220120

CORY M HUBERTY, KEELY C CHURCHILL
5464 BALD EAGLE BLVD E
WHITE BEAR LAKE MN 55110-2304

Parcel ID: 123022220041

GENTRI R JORDAN
2317 HOXIE AVE
WHITE BEAR TOWNSHIP MN 55110-2341

Parcel ID: 123022220068

KRISTIN A HERBERT
5451 WILLIAMS AVE
WHITE BEAR TOWNSHIP MN 55110-2345

Parcel ID: 123022220043

JEFFREY L SICKLER
2331 HOXIE AVE
WHITE BEAR LAKE MN 55110-2341

Parcel ID: 123022220074

NORMAN BARBEAU
5424 WILLIAMS AVE
WHITE BEAR LAKE MN 55110-2367

Parcel ID: 123022220095

FRANK J LEVINS IV, ANNA LISE PARISIEN
5433 RIDGEWAY ST
WHITE BEAR TOWN MN 55110-2360

Parcel ID: 123022220121

**DOUGLAS M DRUSCH JR, ALLISON L
DRUSCH**
5474 BALD EAGLE BLVD E
WHITE BEAR LAKE MN 55110-2304

Parcel ID: 123022220067

ERIK JOSEPHSON, AMANDA JOSEPHSON
5445 WILLIAMS AVE
WHITE BEAR LAKE MN 55110-2363

Parcel ID: 123022220062

**DERICK A BOWERMASTER, TRACI G
BOWERMASTER**
5419 WILLIAMS AVE
WHITE BEAR LAKE MN 55110-2368

Parcel ID: 123022220040

LINDA L ALBERG
2315 HOXIE AVE
WHITE BEAR TOWN MN 55110-2341

Parcel ID: 123022220063

CYNTHIA L OIEN, DUANE OIEN
5423 WILLIAMS AVE
WHITE BEAR LAKE MN 55110-2368

Parcel ID: 123022220125

RAMIRO P BARRIGA
5737 ORCHARD AVE
WHITE BEAR LAKE MN 55110-2349

Parcel ID: 123022220031

GREGORY C HUBINGER, LISA J HUBINGER
5476 BALD EAGLE BLVD
WHITE BEAR LAKE MN 55110-2304

Parcel ID: 123022220126

DAVID A ONG, KRISTINA N GARCIA-ONG
5482 BALD EAGLE BLVD E
WHITE BEAR TOWNSHIP MN 55110-2304

Parcel ID: 123022220116

LOUISE A PARDEE TRUSTEE
5492 BALD EAGLE BLVD E
SAINT PAUL MN 55110-2304

Parcel ID: 123022220037

WILLIAM W PETRYK, RUTH E PETRYK
5462 BALD EAGLE BLVD E
ST PAUL MN 55110-2304

Parcel ID: 123022220079

**LEON G LODERMEIER, JEAN M
LODERMEIER**
5414 WILLIAMS AVE
SAINT PAUL MN 55110-2367



VARIANCE APPLICATION FORM

White Bear Township
1281 Hammond Road
White Bear Township, MN 55110
Phone 651-747-2750 Fax 651-426-2258
www.ci.white-bear-township.mn.us

INTRODUCTION

Variations from the literal provisions of this Ordinance shall only be permitted when they are in harmony with the general purposes and intent of this Ordinance, and when the terms of the variance are consistent with the Comprehensive Plan. Variations may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the provisions of this Ordinance. "Practical Difficulties", as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by this Ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variations shall be granted for earth sheltered construction as defined in Minnesota Statutes, when in harmony with this Ordinance. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The Town Board may impose conditions in granting a variance that are directly related to and in rough proportion to an impact created by the variance. Conditions may be imposed in the granting of variations to insure compliance and to protect adjacent properties.

_____ Fee \$225

APPLICANT(S) Erik Engebretson PHONE (Home) _____
Ecko Building Services (Business) _____
(Cell) 763-439-5789

ADDRESS 2241 105th LN NW
Coon Rapids, MN 55433

PROPERTY OWNER Gentri Jordan

ADDRESS OF SITE 2317 Hoxie Ave ZONING _____

EXISTING USE OF SITE Residential

DESCRIPTION OF VARIANCE REQUEST Rebuild garage

SETBACKS:	Required	Existing	Requested
Front Yard	<u>35'</u>	<u>130'</u>	<u>125'</u>
Side Yard	<u>10'</u>	<u>22'</u>	<u>22'</u>
Side Yard	<u>10'</u>	<u>3'</u>	<u>6'</u>
Rear Yard	<u>20'</u>	<u>10'</u>	<u>10'</u>
Other (Specify)	_____	_____	_____

Applicant understands that the Variance Application fee will not be refunded if, after being submitted, the application is denied or the applicant chooses to withdraw.

It is the policy of White Bear Township that all identifiable costs associated with a Variance Application within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.



*Signature of Applicant(s)

4-30-2020
Date

*Prior to applying for a variance it is recommended that the applicant contact Town staff in order to discuss the proposal.

<u>To Be Completed By Office:</u>	
Date Request Received <u>5/7/2020</u>	<i>Pd via credit card</i>
By <u>Karen</u> (Staff Member)	\$225.00 Fee Received <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date Application Complete _____	

STATEMENT OF AFFECTED PROPERTY OWNERS

If a signed statement is not provided by the applicant for a variance, the Town Board shall order a public information meeting which will include printed notice to all property owners within 350' of the property where the variance is requested. Public Notice publication costs will be the responsibility of the applicant.

I am the owner of the property at: 2317 Hoxie Ave. I am requesting that the Town of White Bear grant me a variance from Ordinance No. _____ for the following purpose:

To Build a new garage

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

PROPERTY OWNERS

1. Name: Linda Alberg Address: 2315 Hoxie Ave.
 Phone: (Home) 651-429-8043
 (Bus.)
 (Cell) 651-497-9099
 Comments: _____

Date: 5-5-20 Signatures: Linda Alberg
 2. Name: Greg & Lisa Hubinger Address: 5476 E Bald Eagle Ave
 Phone: (Home) _____
 (Bus.)
 (Cell) 612-384-2631
 Comments: _____

Date: _____ Signatures: Lisa Hubinger
Greg Hubinger

3. Name: Dan Clifford Address: 2329 Hoxie Ave
 Phone: (Home) 651-653-7215
 (Bus.)
 (Cell)

Comments: NO PROBLEM

Date: 5/5/20 Signatures: Dan Clifford



**Town Board Meeting
June 15, 2020**

Agenda Number: 7.C – Public Hearings

Subject: Right-of-Way Setback Variance Request @ 2731 Stillwater Street – Consider Granting a 35’ Right-of-Way Setback Variance to Allow Construction of a Shed & a Fence & a License Agreement

Documentation: Staff Memo w/attachments / Public Notice / Affidavit of Publication / Resident Letter & Mailing List / License Agreement / Variance Application Form

Action / Motion for Consideration:

- Note Proper Publication of the Hearing Notice in Newspaper & Waive Reading of Notice
- Open Public Hearing
- Open Public Comment Portion – Ask for Comments
- Close Public Portion of Hearing

Based on Variance Board, Planning Commission & Staff Review & Recommendation Approve a 35’ Right-of-Way Setback Variance to Allow Construction of a Shed & a Fence & Approve the License Agreement for Placement of the Fence Within the Road Right-of-Way

Minutes
Planning Commission Meeting
June 3, 2020

CONSENT AGENDA – ABBI JO WHITMAN, 2731 STILLWATER STREET – REQUEST FOR A 35’ RIGHT-OF-WAY SETBACK VARIANCE TO ALLOW CONSTRUCTION OF A SHED & PERMIT FENCE ENCROACHMENT INTO THE EAST COUNTY LINE ROAD RIGHT-OF-WAY:

The Town Planner introduced this agenda item for the request of approval of a 35’ right-of-way setback variance from East County Line Road to allow construction of a 16’ by 18’ shed. Wittman/Allen’s property is a corner lot, in the White Bear Beach neighborhood, which was constructed prior to the Town’s adoption of zoning ordinance. As a result, many homes in this neighborhood do not meet current setback requirements. Wittman/Allen also have been planning an addition to the home in the future. The

existing garage encroaches onto the neighbor's property, so adding to this structure would require variances and acquisition of property.

There were two other options considered for the shed placement, but both are undesirable. Wittman was present to answer any questions and discuss this agenda item. With the elevated slope, the fence will need to be moved, but then it is in the right-of-way setback of East County Line Road. The Town Planner noted that the applicant is willing to sign an agreement that states if work needs to be done on the road and the fence needs to be moved accordingly, the homeowner will move it. There was some discussion on the other shed options considered. The second of the two was in direct way of the neighbor's view of the lake.

Artner motioned to approve the 35' right-of-way setback variance to allow construction of a shed & permit fence encroachment into the East County Line Road right-of-way, subject to staff recommendation that the property owners sign a release that gives them notice that the fence may need to be removed by the Town and any removal would be at the property owners expense.

The public hearing for this agenda item is set to be Monday, June 15, 2020.

Minutes
Variance Board Meeting
May 19, 2020

ABBI JO WITTMAN, 2731 Stillwater Street – Request for a 35' Right-of-Way Setback Variance to Allow Construction of a Shed. Request to Install a Fence 10' into the East County Line Road Right-of-Way: Riedesel summarized the request of Abbi Jo Wittman which would allow them to construct a shed and a fence on their property. The property is a corner lot and placement of the shed is difficult so as not to block the view of the lake from other neighbors.

Other properties in the neighborhood have structures which appear to encroach into the right-of-way-setback. Many of these properties were constructed prior to adoption of the Township's Zoning Ordinance thereby any alterations/additions require a variance of some kind.

Johnson and Denn were fine with the placement of the shed as long as it was consistent with other properties in the neighborhood.

Johnson moved to recommend to the Planning Commission to recommend to the Town Board to approve the 35' right-of-way setback variance to allow construction of a shed as this property is located on a bluff and has limited areas to place a shed and as long as the placement is consistent with other properties. Denn seconded. Ayes all.

Ms. Wittman is also requesting approval to extend her chain link fence along East County Line Road, 10' into the right-of-way. The fence would be at the top of the slope approximately 14' from the edge of the East County line Road pavement.

Ms. Wittman stated that they realize the fence would be in the road right-of-way and would be willing to sign a License Agreement with the Township stating that if for any reason work was need to be done in the right-of-way necessitating removal of the fence that the Township would not be liable either the fence or it's replacement.

Johnson moved to recommend to the Planning Commission to recommend to the Town Board approval of the fence placement 10' within the East County Line road right-of-way subject to the property owner signed a License Agreement with the Township. Denn seconded. Ayes all.

MEMORANDUM

TO: VARIANCE BOARD
FROM: TOM RIEDESEL
DATE: MAY 15, 2020

SUBJECT: CONSTRUCTION OF A STORAGE SHED/SHOP

REQUESTS: RIGHT-OF-WAY FENCE ENCROACHMENT
35' RIGHT-OF-WAY SETBACK VARIANCE

LOCATION: 2731 STILLWATER STREET
APPLICANTS: ABBI JO WITTMAN, JASON ALLEN

The Wittman/Allen's are requesting approval of a 35' right-of-way setback variance from East County Line Road to allow construction of a 16' x 18' shed which would be used for storage and work shop. The corner lot is located in the White Bear Beach neighborhood. Homes in much of the neighborhood were constructed prior to adoption of the Town's Zoning Ordinance in the 1970's. Many homes in this neighborhood do not meet current setback requirements.

There are 5 homes with accessory structures located between Highway 96 and 1st Street on the Township side of East County Line Road. Of these three appear to have structures encroaching into the right-of-way setback. One of these homes at 5211 East County Line Road received Town approval of a 14' right-of-way setback variance to add a front porch onto the home. This variance was approved in 1998.

The Wittman/Allen's have been considering the new shed for some time. They are also planning an addition to the home in the future. The existing garage encroaches onto the neighboring property so adding to this structure would require variances and acquisition of property.

The shed could be placed on the lot to meet setback requirements. Two alternative options are shown on their site plan but both are undesirable locations. As a result, their preferred located is proposed to abut the East County Line Road right-of-way. It must be noted that the East County Line Road right-of-way is 40' on the Township side which is 10' greater than a typical Township road right-of-way. There does not appear to be any public utilities within the portion of the right-of-way near where the shed is proposed. The slope between the yard and the street is fairly steep and is wooded.

In addition to the shed setback variance, the homeowners would like to extend their chain link fence along East County Line Road, 10' into the right-of-way. The location of the

proposed fence would be at the top of the slope and approximately 14' from the edge of the East County Line Road pavement.

The homeowners are willing to sign an agreement acknowledging the encroachment and the Town's right to remove the fence if work within the right-of-way is necessary.

Section 7-1.5 of Ordinance No. 35 states:

Front yard setback variances may be granted to conform to lesser setbacks of existing adjacent structures. For new structures, the minimum front yard setback shall not be less than twenty (20) feet.

When considering a variance request, Section 9-6.1 of the Zoning Ordinance must be reviewed. In addition, Section 9-6.4 of the Ordinance must be considered. These sections state:

9-6.1. GENERAL. The Town Board shall have the exclusive power to order the issuance of variances from the terms of this Ordinance including restrictions placed on non-conformities. Variances from the literal provisions of this Ordinance shall only be permitted when they are in harmony with the general purposes and intent of this Ordinance, and when the terms of the variance are consistent with the Comprehensive Plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the provisions of this Ordinance. "Practical Difficulties", as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by this Ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, when in harmony with this Ordinance. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The Town Board may impose conditions in granting a variance that are directly related to and in rough proportion to an impact created by the variance.

9-6.4. STANDARDS. In considering all requests for variance and in taking subsequent action, the Town Board shall approve the variance only if the following facts are established:

- (1). Without issuance of a variance, the provisions of this Ordinance would deprive the applicant of a reasonable use of property under the terms of this Ordinance.
- (2). That the special conditions and circumstances do not result from the actions of the applicant.
- (3). That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
- (4). That the proposed action will not unreasonably increase the congestion on public streets.
- (5). That the proposed action will not increase the danger of fire or endanger the public safety.
- (6). That the proposed action will not unreasonably diminish or impair established property values within the neighborhood or in any other way be contrary to the intent of this Ordinance.

TR/psw
cc:admin/add.
b:wittman

May 7, 2020

White Bear Township
Planning & Community Development
1281 Hammond Road
White Bear Township, MN 55110

RE: 2731 Stillwater Street Planning and Zoning Requests

Greetings, Zoning Board, Planning Commission, and Township Board members.

It is our intent to improve our property at 2731 Stillwater Street (legally described as Lots 31 & 32, Block 24, White Bear Beach). We would like to request consideration of the following:

1. A 10' **Encroachment** approval or ROW Vacation of the westerly 10' of the 40' wide East County Line Road North for the installation of a 48" fence; and
2. A 35' **Variance** to the 35' *Exterior* (Front) Side Yard Setback, from East County Line Road North, for the construction of a 16'X18' (288) square foot accessory structure to be located 0' from the existing easterly property line. The structure will be used as a workshop and storage.

Please see the attached *Survey and Site Plan* and aerial imagery depicting desired improvements and existing property conditions, described in the subsequent section.

Existing Conditions

Property

According to Ramsey County records, the subject property's residence was built circa 1920, prior to the adoption of the existing zoning code. The home was constructed facing Stillwater Street, though the home is situated nearly 20' higher than the Stillwater Street right-of-way. The grade of the property slopes from the high point on the north to the south. Along East County Line Road North, our property is situated 10' higher in elevation than the roadway to the east. This creates a nearly 40% slope on the east and (on average) 30% slope on the south. See photographs on *Views from Roadways* and *Hillside Views from Yard*, attached.

Encroachment Request

Due to the steep grades along East County Line Road North, we would like to install a fence to enclose our yard. However, our eastern property line intersects higher-ground yard area; see the attached *Property Line Views* for reference. The property line is approximately 25' from the asphalted roadway and there is approximately 10' of excess ROW that is located on top of the

slope. We would like to install the fence near the top of the slope to better maintain the flat space, promote vegetation separation, and to make the area safe for our young daughter as well as the general public who may be walking by. Thus we are requesting formal consideration of a 10' encroachment request to install the fence over the property line.

We understand granting encroachments is not common practice and that the Town of White Bear may not be favorable. However, we are reluctant to submit a request to vacate the ROW as giving away this public land limits the township's options in the future should there be failure of the steep slope in this area. If we were able to place the fence on the ROW, we would enter into a legally binding document stating we will remove the fence in the event there was public need. This would protect both public and private interest in this land area.

Lastly, we intend to plant on both sides of the fence to further help stabilize the hillside. The hillside, however, is littered with poison ivy which creeps over the top of the slope. Installing the fence near the top of the steep slope will help reduce the spread into our shaded yard area, under the mature oak tree, where grass does not grow well.

Variance Request

Existing Accessory Structure Coverage

The subject property has one existing, nonconforming detached garage located near the Northwest property corner. The 22.1' wide by 25.7' long (563 square foot) garage is situated 9' over the western property line and sits (approximately) 3' from the northern property line. Though the specific construction year is unknown, Ramsey County aerial imagery depicts the structure being built sometime between 1950 and 1974.

Accessory Structure Considerations

The zoning code allows for more than one accessory building so long as the combined area does not exceed 10% of the total square footage; 851 square feet accessory structure coverage, or approximately 5.67% of the total lot area, is reasonable.

The zoning code requires accessory structures to be located behind the principal structure. This is unique as the driveway is not accessed of the front of the property, like other homes in the vicinity. As such, there is no way to get an accessory structure coverage behind the home and remain in conformance with the Zoning Code. The corner lot nature, situated high above the adjacent roadways, gives our front yard a backyard feel. None of these unique circumstances were created by us, who have owned the property for over five years.

We have explored how we could add additional accessory structure coverage to the property and remain compliant with the zoning code. Given the home's placement, the only feasible alternative is to place additional accessory structure coverage in an area east of the home, shown as 'buildable area' on the attached *Survey and Site Plan*. While other alternatives exist, they are not reasonable given desire to protect natural resources and sunlight into the

residence, preserve neighboring property views, and retain useable garden. While there are economic considerations, these are not the only factors.

The proposed accessory structure would be located at the same setback location as the porch on the residence directly to the north (5211 East County Line Road North), promoting a uniform pattern of development in this area. The placement, on the eastern property line, would still maintain a 25' vegetated setback where we would be able to maintain the ground cover, mature trees, and the rear side of the building. Furthermore, the structure's gable pitch and facade materials would match the residence, presenting a unified design on the property – helping to preserve property values.

Summary

We desire having a workshop with additional indoor storage since the size of the home is small. If granted, the variance would not confer upon us any special right not normally enjoyed by others in the neighborhood. Therefore, we respectfully request your consideration of our encroachment and variance requests.

The timeline for improvements will depend on planning/zoning approvals, including permitting. As time got a little away from us in this pandemic, we would like to construct the fence as soon as possible. However, we would not likely construct the structure until the end of the 2020 construction year or early 2021.

We thank you for your consideration and look forward to discussing our project with you.

Sincerely,

Jason Allen

Abbi Jo Wittman

Attached: Survey and Site Plan
 Aerial Imagery
 Views from Roadways
 Hillside Views from Yard
 Property Line Views
 Example Accessory Structure Photos
 Abutting Property Owner Statements



This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- 2012 Contours
- Parcel Points
- Parcel Boundaries
- Personal Properties

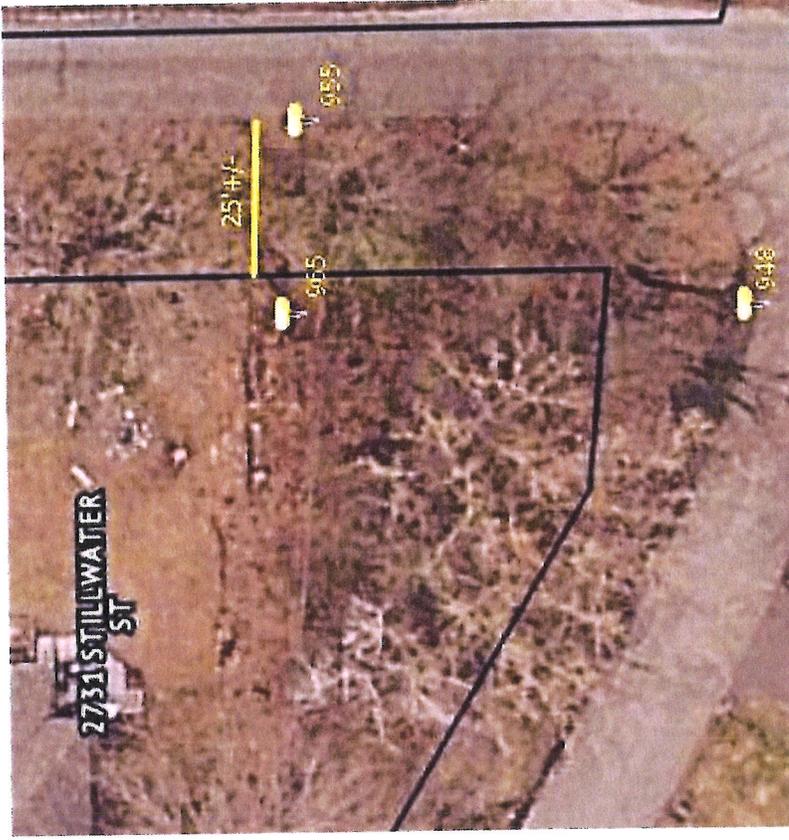
Notes

Enter Map Description

Aerial Imagery

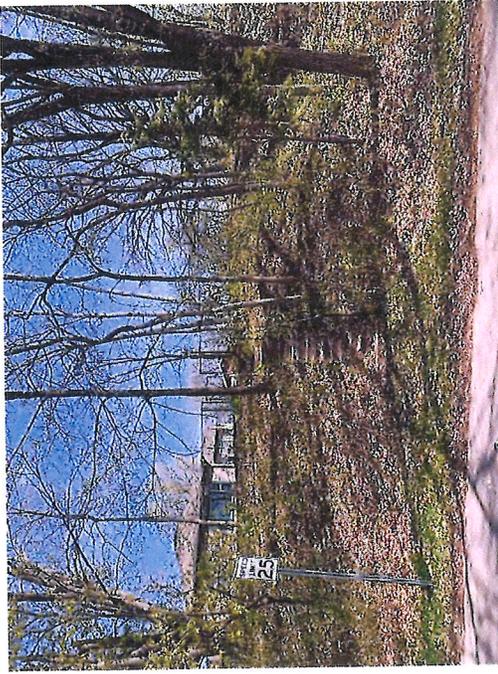


Proposed Building and Fence Locations

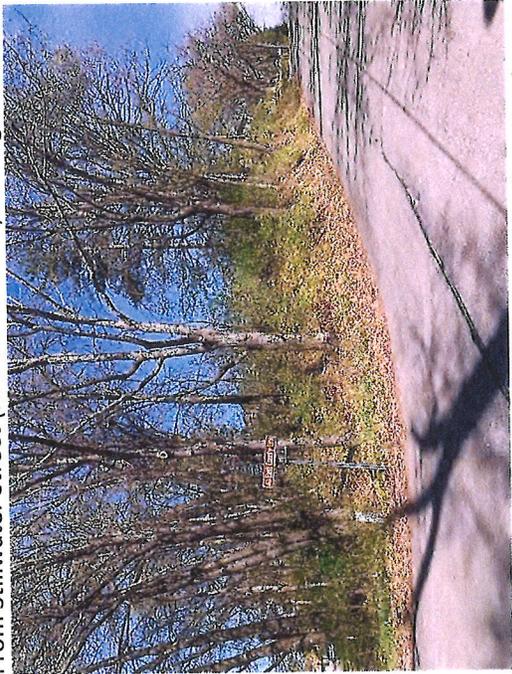


Elevations and Roadway Distance

Views from Roadways



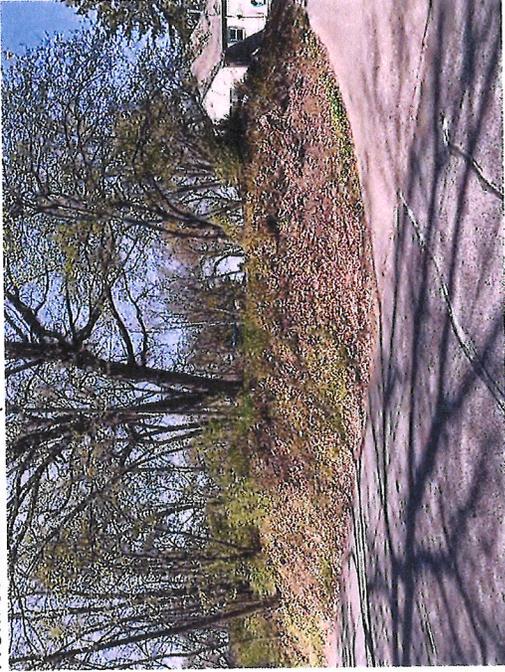
From Stillwater Street (in front of home) looking North



From E. Co. Line Rd. N. (at intersection) looking Northwest



From Stillwater Street (at intersection) looking North

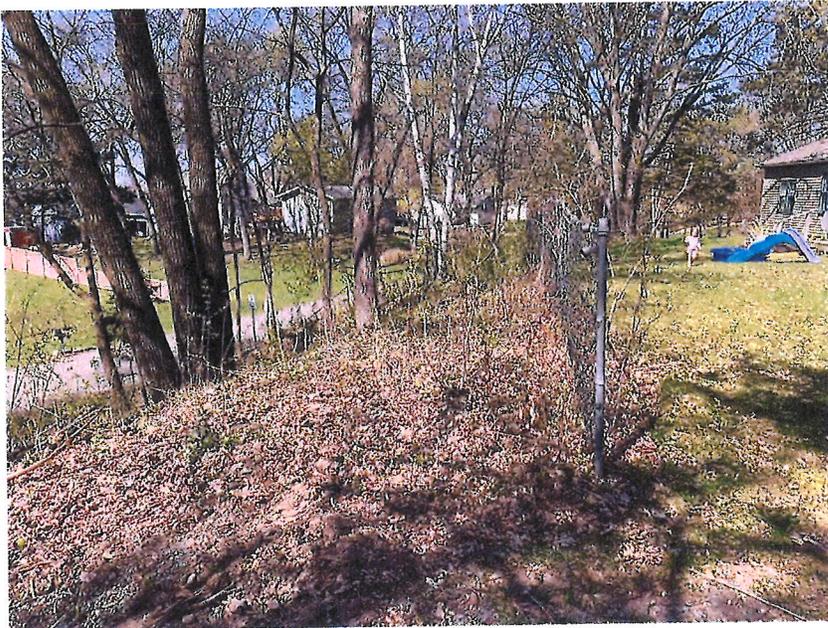


From E. Co. Line Rd. N. (at driveway) looking Southwest

Hillside Views from Yard



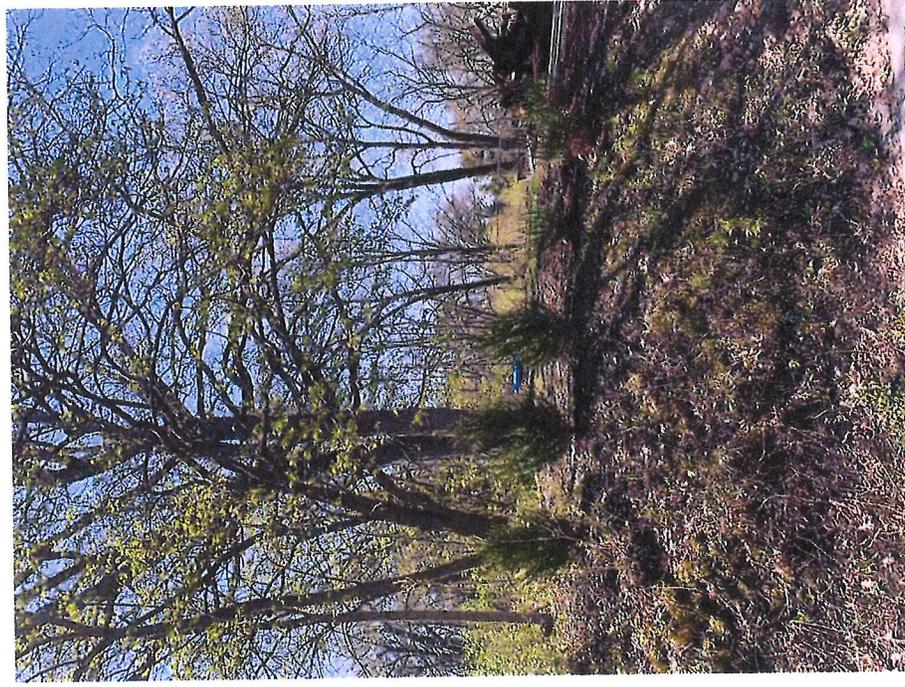
View of right-of-way area and steep slope adjacent to East County Line Road North roadway.



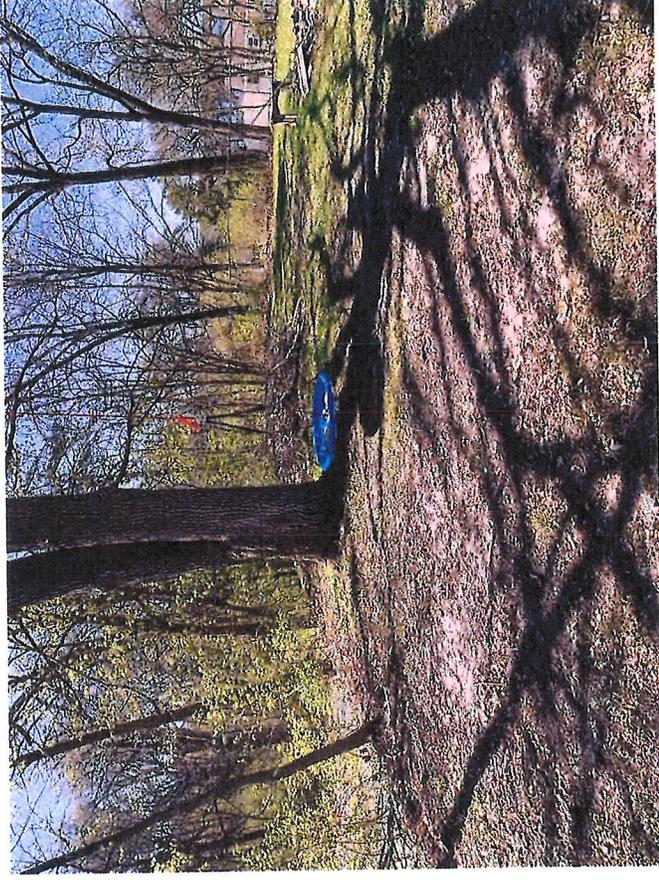
View of steep slope adjacent to Stillwater Street, at location (approximately) 35' back from southern property line.

Property Line Views

The property line is (approximately) 4' to the right of the Oak Tree.

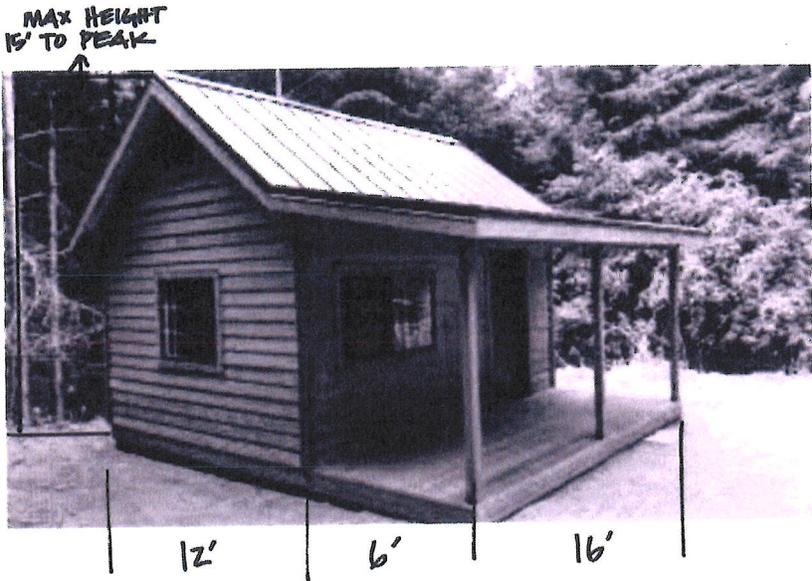


View at SE Corner Pin



View in Yard

Example Accessory Structure Photos



Accessory Structure Dimensions



Accessory Structure Front Façade Level of Detail



**NOTICE OF HEARING REQUEST FOR A VARIANCE FROM ORDINANCE NO. 35
(ZONING) OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at either the Township Administrative Office, 1281 Hammond Road, or Heritage Hall, 4200 Otter Lake Road, location to be determined at a later date, in said Town on Monday, June 15, 2020 @ 7:00 p.m. to consider the following variance request:

- 35' Right-of-Way Setback Variance

to allow construction of a shed and a fence on the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:

Lots 31 and 32, Block 24, White Bear Beach

(2731 Stillwater Street)

and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.

Given under my hand this 18th day of May, 2020.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Clerk-Treasurer

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Carter Johnson, being first duly sworn, on oath states as follows:

- 1. I am the publisher of the WHITE BEAR PRESS, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant of Minnesota Statutes §331A.07.
2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.
3. The dates of the month and the year and day of the week upon which the public notice attached was published in the newspaper are as follows:

Once a week, for one week, it was published on Wednesday, the 3rd day of June, 2020.

- 4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows:

- a) Lowest classified rate paid by commercial users for comparable space
b) Maximum rate allowed by law for the above matter
c) Rate actually charged for the above matter \$ 18.76/inch

- 5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Ramsey County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

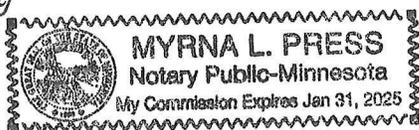
We are a qualified newspaper in the following counties: Anoka, Ramsey and Washington

FURTHER YOUR AFFIANT SAITH NOT.

BY: [Signature]
TITLE: Carter Johnson, Publisher
PRESS PUBLICATIONS
4779 Bloom Avenue
White Bear Lake, MN 55110

Subscribed and sworn to before me on this 3rd day of June, 2020.

[Signature]
Notary Public



WHITE BEAR TOWNSHIP
NOTICE OF HEARING REQUEST
FOR A VARIANCE FROM ORDINANCE NO. 35 (ZONING)
OF THE TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA
NOTICE IS HEREBY GIVEN, That the Town Board of the Town of White Bear, Ramsey County, Minnesota, will meet at either the Township Administrative Office, 1281 Hammond Road, or Heritage Hall, 4200 Otter Lake Road, location to be determined at a later date, in said Town on Monday, June 15, 2020 @ 7:00 p.m. to consider the following variance request:
35' Right-of-Way Setback Variance
to allow construction of a shed and a fence on the following described property lying and being in the Town of White Bear, Ramsey County, Minnesota:
Lots 31 and 32, Block 24, White Bear Beach
(2731 Stillwater Street)
and to hear and pass upon objections and recommendations, if any, and to conduct any and all business incident thereto.
Given under my hand this 18th day of May, 2020.
BY ORDER OF THE TOWN BOARD OF SUPERVISORS
PATRICK CHRISTOPHERSON, Clerk-Treasurer
Published one time in the White Bear Press on June 3, 2020.



**WHITE BEAR
TOWNSHIP**

1858
RAMSEY COUNTY
MINNESOTA

1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750
FAX 651-426-2258
Email: wbt@whitebeartownship.org

Board of Supervisors
ED M. PRUDHON, *Chair*
STEVEN A. RUZEK
SCOTT E. MCCUNE

June 4, 2020

Township Resident
White Bear Township, Minnesota 55110

Re: Variance Request

Dear Resident:

Enclosed please find a **Notice of Hearing Request for a Variance from Ordinance No. 35 (Zoning) of the Town of White Bear, Ramsey County, Minnesota.**

The owner of property at 2731 Stillwater Street is requesting approval of a 35' right-of-way setback variance to allow construction of a shed and a fence.

The Public Hearing on the matter is scheduled for **Monday, June 15, 2020 @ 7:00 p.m. at Heritage Hall, 4200 Otter Lake Road, White Bear Township, Minnesota.**

If you have any questions regarding this matter please plan to attend the meeting or you may contact Tom Riedesel, Planner, at 651.747.2761 or via email at tom.riedesel@whitebeartownship.org.

Sincerely,

Patti Walstad
Deputy Clerk

PSW/s
Enc.
cc:admin/add.file



recycled paper



5160®

Easy Peel® Address Labels
Bend along line to expose Pop-up Edge®

Go to avery.com/templates
Use Avery Template 5160

Parcel ID: 123022410120

DANIEL E WHALEN
2710 STILLWATER ST
WHITE BEAR TOWNSHIP MN 55110-2468

Parcel ID: 123022410028

STEVEN SKARVAN, JOELLE SANDBERG
5211 EAST COUNTY LINE N
WHITE BEAR TOWNSHIP MN 55110-2446

Parcel ID: 123022410068

MARK WILLIAM EDWARDS, CHERYL LEE EDWARDS
2721 LAKE AVE
WHITE BEAR LAKE MN 55110-2459

Parcel ID: 123022410042

MICHAEL P JARVIS, GINGER JARVIS
2716 STILLWATER ST
WHITE BEAR LAKE MN 55110-2468

Parcel ID: 123022410116

MICHAEL P JARVIS, GINGER JARVIS
2716 STILLWATER ST
WHITE BEAR LAKE MN 55110-2468

Parcel ID: 123022410115

SCOTT W EBERT
2724 STILLWATER ST
WHITE BEAR TOWNSHIP MN 55110-2468

Parcel ID: 123022440010

KIPP B WESSEL, BRITT NICOLE SHACKELFORD WESSEL
5161 E COUNTY LINE N
WHITE BEAR TOWNSHIP MN 55110-2445

Parcel ID: 123022410122

ROBERT M SOMMERDORF, NANCY J SOMMERDORF
2711 LAKE AVE
WHITE BEAR LK MN 55110-2459

Parcel ID: 123022410123

DERREK SKEIE, SARA SKEIE
2717 LAKE AVE
WHITE BEAR LAKE MN 55110-2459

Parcel ID: 123022410044

LESLIE J KOBZA
5181 EAST COUNTY LINE N
WHITE BEAR LAKE MN 55110-2445

Parcel ID: 123022410089

SHARON BURBACK
2715 STILLWATER ST
WHITE BEAR LAKE MN 55110-2469

Parcel ID: 123022410032

DONALD BRANDIES
2711 STILLWATER ST
WHITE BEAR TOWNSHIP MN 55110-2587

Parcel ID: 123022410029

ABBI JO WITTMAN
2731 STILLWATER ST
WHITE BEAR LAKE MN 55110-2469

LICENSE AGREEMENT

This Agreement is made this ____ day of June, 2020, by and between the Town of White Bear, a subdivision of the State of Minnesota (Licensor) and Abbi Jo Wittman, (Licensee).

Whereas, the Licensor is the fee owner of the following described real property situated in the Town of White Bear, County of Ramsey, State of Minnesota and legally described as follows, to-wit:

Lot 32, Block 24, White Bear Beach

(2731 Stillwater Street)

Whereas, the Licensee is requesting permission to extend her chain link fence 10' feet into the East County Line Road right-of-way; and

Now Therefore, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the Licensor hereby grants unto the Licensee permission to extend her chain link fence 10' into the East County Line Road right-of-way subject to the following:

I. Licensee Responsibilities & Indemnification

- A. The Licensee shall be responsible for all maintenance and repair of the fence.
- B. The Licensee acknowledges that if any work is performed in the East County Line Road right-of-way the Licensor is not responsible for any fence repair or replacement.
- C. The Licensee further agrees to release, indemnify, hold harmless and defend Licensor from and against any and all claims, costs, causes of action, expenses and liabilities, including but not limited to reasonable attorney's fees arising out of or connected with Licensee's use of the property.

II. Licensor Responsibilities

- A. Licensor shall make every attempt to give as much notice as possible to Licensee prior to maintenance, etc. in the right-of-way.

III. Grant of License Only and Non-Assignment

Licensee acknowledges that this Agreement represents a grant of a license only and not an easement or lease. Licensee shall not assign its rights under this Agreement.

IV. Termination

It is understood by the Licensee that the Licensor retains the right to terminate this license at any time and for any reason.

In Witness Whereof, the Licensor and Licensee have executed this License Agreement as of the date heretofore set out.

Town of White Bear

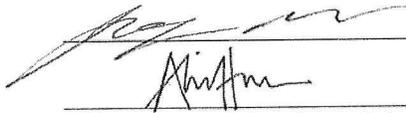
By: _____
Ed M. Prudhon, Chair

Abbi Jo Wittman

Applicant understands that the Variance Application fee will not be refunded if, after being submitted, the application is denied or the applicant chooses to withdraw.

It is the policy of White Bear Township that all identifiable costs associated with a Variance Application within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.



*Signature of Applicant(s)

May 5, 2020

Date

*Prior to applying for a variance it is recommended that the applicant contact Town staff in order to discuss the proposal.

To Be Completed By Office:

Date Request Received _____

By _____
(Staff Member)

\$225.00 Fee Received

Yes

No

Date Application Complete _____

**STATEMENT OF AFFECTED
PROPERTY OWNERS**

If a signed statement is not provided by the applicant for a variance, the Town Board shall order a public information meeting which will include printed notice to all property owners within 350' of the property where the variance is requested. Public Notice publication costs will be the responsibility of the applicant.

I am the owner of the property at: 2731 Stillwater Street. I am requesting that the Town of White Bear grant me a variance from Ordinance No. 35, for the following purpose: To construct a 288 square foot, 15' tall shed to be located on the eastern property line, set back 10' from the steep slope. The structure will be sided to match the residence.

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

PROPERTY OWNERS

Name: Sharon Burkard Address: 2715 Stillwater St.
Phone: (Home) WB
(Cell) 7-651-288-9549
(Bus.) _____

Comments:

STATEMENT OF AFFECTED PROPERTY OWNERS

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I am the owner of the property at: 2731 Stillwater Street. I am requesting that the Town of White Bear grant me a variance from Ordinance No. 35, for the following purpose: To construct a 288 square foot, 15' tall shed to be located on the eastern property line, set back 10' from the steep slope. The structure will be sided to match the residence.

My request will be reviewed by the Variance Board and the Planning Commission, with a final decision being made by the Town Board. I must provide the Board with a statement signed by the adjacent property owners, recording their comments relative to my request. Please feel free to write below any comments you may have regarding this issue. This statement must be signed and dated.

PROPERTY OWNERS

Name: *Felicia M. Johnson* Address: 5211 EAST COUNTY LN N.
Phone: (Home) _____
(Cell) 651 485-1856
(Bus.) _____

Comments:



**Town Board Meeting
June 15, 2020**

Agenda Number: 8.A – New Business

Town Planner Item:

Subject: Water Gremlin, 4400 Otter Lake Road – Request for a Permitted Use Standards Permit to Allow Construction of a 12' x 15' Vapor Mitigation Structure

Documentation: Staff Memo w/ attachments / Permitted Use Standards Application Form / Permitted Use Standards Permit w/ Requirements

Action / Motion for Consideration:

Report at Meeting / Discuss

Based on Planning Commission & Staff Review & Recommendation Approve the Permitted Use Standards Permit With Attached Requirements Which will Allow Construction of a Vapor Mitigation Structure Room Addition at Water Gremlin, 4400 Otter Lake Road

Minutes
Planning Commission Meeting
June 3, 2020

WATER GREMLIN, 4400 OTTER LAKE ROAD – REQUEST FOR A PERMITTED USE STANDARDS PERMIT TO ALLOW CONSTRUCTION OF A 12' X 15' VAPOR MITIGATION STRUCTURE: The Town Planner introduced this agenda item. Water Gremlin is requesting a Permitted Use Standards Permit, which would allow them to add a temporary structure of 12' by 15'. The structure would be a prefabricated metal building, set in the northeast corner of the north building. The reason for this temporary structure is due to Water Gremlin's requirement of providing vapor mitigation of soils located below the north campus building. Though temporary, the structure will be there for several years, until the Minnesota Pollution Control Agency has deemed the mitigation completed.

Sheri Smith and Sherry Hastings were present to ask questions of this agenda item. Sherry Hastings, 4373 Fisher Lane, is the chair of the concerned citizens group. One question was asked whether the prefabricated building has footings or will require digging to lay foundation of the building prior to

construction. Shane Waterman, the designer of the building, was present to answer that question. The building will have helical piles that will secure the temporary structure to the ground. The building will be fastened to the piles requiring minor excavation. There was a question of any fire suppression the building has. It was noted that the fire inspector has reviewed the plans. Hastings also noted that she is in favor of the temporary structure, as it will help mitigate the pollution.

There was some discussion of whether the Planning Commission wanted to define how many years "temporary" is, but it was noted that the MPCA will decide when mitigation is completed and that will be the determining factor, since remediation needs to be done.

Artnier motioned to approve the request for a Permitted Use Standards Permit to allow construction of a 12' by 15' vapor mitigation structure. Loes seconded. Ayes all.

This agenda item is set to be on Monday, June 15, 2020.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: MAY 27, 2020

SUBJECT: VAPOR MITIGATION STRUCTURE ROOM ADDITION

LOCATION: 4400 OTTER LAKE ROAD
APPLICANT: WATER GREMLIN

Water Gremlin is requesting approval of a Permitted Use Standards Permit which would allow them to add a 12' x 15' prefabricated metal building to the northeast corner of the north building. The structure would abut the north wall of the existing building. The structure is a remediation building and is being added to replace a temporary trailer which is on site.

Water Gremlin is required to provide vapor mitigation of soils located below the north campus building. The proposed structure will also be temporary but is planned to be on site for several years. It will be removed once the mitigation is no longer required for the building.

The 8' tall structure is proposed to be painted to match the color of the Water Gremlin building.

This portion of the building where the addition is planned faces Whitaker Street but is screened from view by a wooded area approximately 165' in depth. There are no plans by Water Gremlin to remove this wooded area.

With the upgrades to the building and parking lots recently, additional landscaping has been added to the site in the wooded area and along the gated access to the north end of the site.

A Permitted Use Standards Permit is requested to add the proposed remediation structure.

The following standards must be reviewed by the Town prior to approving a Permitted Use Standards Permit. They include:

9-3.4(a). The use shall be planned, designed, constructed and maintained to avoid:

- (1). Unnecessary detracting from the appearance of adjacent properties or from the Town as a whole.
- (2). Aesthetic incompatibility.
- (3). Aural Incompatibility.
- (4). Damage to vegetation.

- (5). Traffic pattern incompatibility.
- (6). Erosion of soil.
- (7). Unnecessary loss of existing natural features (vegetation, steep slopes, wetlands, water bodies).
- (8). Increased flood potential.

9-3.4(b). No development shall be allowed which will result in unusual maintenance or repair costs of road, parking areas or utility lines.

9-3.4(c). Development shall be permitted only in such a manner that the maximum number of trees shall be preserved. It shall be the duty of the applicant to demonstrate that there are no feasible alternatives to the cutting of trees on the site.

9-3.4(d). The types and density of land use proposed for the site shall be suited to the site conditions and shall adequately correct problems due to soil limitations, including but not limited to, bearing strength, shrink-swell potential, slope stability, high groundwater, or wetness.

9-3.4(e). The proposed use shall be sited, designed, oriented and landscaped to produce a harmonious relationship of building and grounds to buildings and properties in the neighborhood.

9-3.4(f). The proposed use shall show sufficient landscaping to screen undesirable features and to enhance the development.

9-3.4(g). The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the policy and recommendations of the Comprehensive Plan.

9-3.4(h). Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters and Town Board shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

Water Gremlin has been under scrutiny for discharge of potentially hazardous chemicals into the environment. As a result, many plant upgrades to deal with these hazards are being required by the Minnesota Pollution Control Agency. This mitigation structure is one of them.

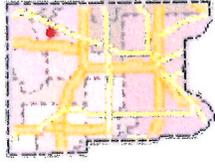
The Planning Commission and Town Board must review their requested Permitted Use Standards Permit and the standards set by ordinance which must be met in order to approve their requested permit.

If their project, as proposed, meets the standards set forth above, their Permitted Use Standards Permit may be recommended for approval.

TR/psw
cc:admin/add.file
b:watergrem20



Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries
- Personal Properties

Notes

Enter Map Description

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

200.0 0 100.00 200.0 Feet

NAD_1983_HARN_Aoi_MN_Ramsey_Feet
 © Ramsey County Enterprise GIS Division

the vapor mitigation system building. Building is approximately 12'x15'.

East Retention Pond

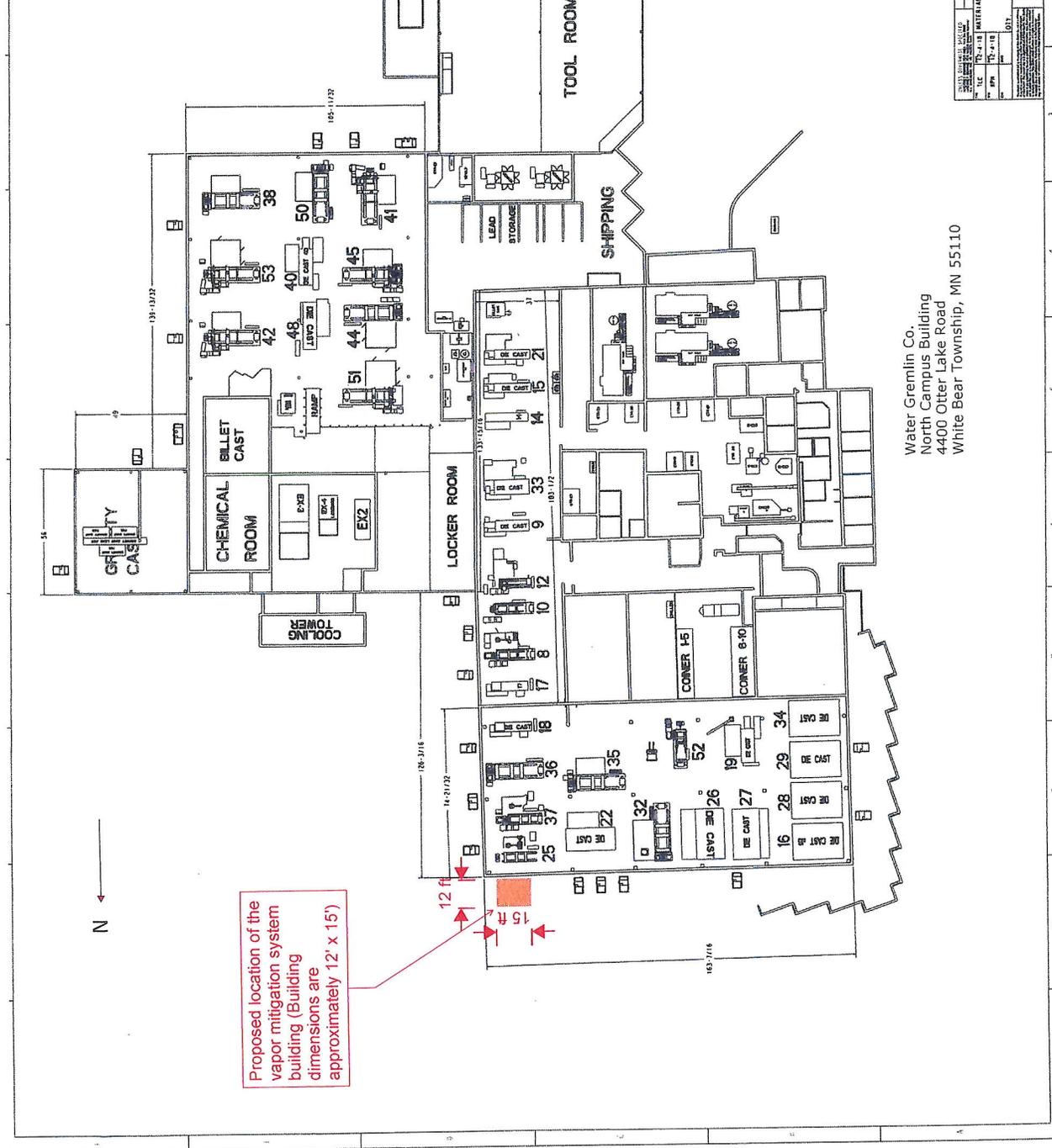
Water Gremlin Co Address:
4400 Otter Lake Road
White Bear Lake Township 55110

West Retention Pond



taipix

NO. 2-211	REVISED	DATE	BY
1			
2			
3			



N

Proposed location of the vapor mitigation system building (Building dimensions are approximately 12' x 15')

Water Gremlin Co.
 North Campus Building
 4400 Otter Lake Road
 White Bear Township, MN 55110

DATE: 08/11/16	SCALE: AS SHOWN	PROJECT: NORTH CAMPUS
DRAWN: J. HALL	CHECKED: J. HALL	REVISED: 08/11/16
TITLE: NORTH CAMPUS	ASSEMBLY	DATE: 08/11/16
BY: J. HALL	DATE: 08/11/16	PROJECT: NORTH CAMPUS
NO. 2-211	REVISED	DATE
1		
2		
3		

DOCUMENTS APPROVAL

MANUFACTURER/ PRE-FAB BUILDER

H2K TECHNOLOGIES
7550 COMMERCE DR
CORCORAN MN 55340

Code: TJKK89052
Date: 2/18/2020

Project Title: Water Gremlin
Location: 7550 COMMERCE DR CORCORAN MN 55340

Plan Review No.: MFG2002-00018

The Construction Application and attached plan documents submitted by your organization for the above referenced structure(s) have been reviewed and found to be in substantial compliance with requirements of the Minnesota State Building Code.

The Construction Approval letter and approved plans are your records for construction and your files. Any changes to the approved documents or any additional construction addendum changes for the building are not permitted without prior submission and review for construction approval from this division. All proposed design revisions shall be submitted to the Construction Codes and Codes and Licensing Unit for approval and after authorization will be attached to the approved file plans retained by this unit.

Before an Industrialized Building Commission Construction Seal is issued for this project, all documents pertaining to the construction, inspection records, and verification of code compliance shall be documented to the permanent project file retained by the manufacturer.

All on-site construction work performed at the site, including the final enclosure and installation of the structure, all mechanical equipment, and final occupancy approval is regulated by the local authority having jurisdiction. It is the responsibility of the person or parties receiving construction authorization at the final site of occupancy to comply with all local laws and ordinances.

In no case shall the IBC labeled unit be altered or otherwise brought out of compliance with the manufactures approved plans and/or the Minnesota State Building Code.



Phone: (651) 491-0750

Construction Code Representative, Manufactured Structures Section
Minnesota Department of Labor and Industry
Construction Codes and Licensing Division
State of Minnesota

Revised 12/17/2013

From: Shane A. Waterman
Sent: Thursday, May 7, 2020 12:10 PM
To: Tom Riedesel <Tom.Riedesel@whitebeartownship.org>
Subject: FW: Water Gremlin Remediation System Building

Hi Tom,

Thanks again for chatting with me earlier regarding our project at the Water Gremlin Co. facility located at 44 Otter Lake Road. Attached is the plan set associated with the remediation system building that we need to install on the property. As I mentioned during our call, Water Gremlin Co is required to provide vapor mitigation beneath its North Campus building. We are currently satisfying this requirement by operating a temporary vapor mitigation system that is situated in a trailer located on the northeast side of the building. This temporary system will be replaced by the 12' x 15' steel building that we are currently requesting Township approval to install along the north wall of the facility facing Whitaker Street. This building will be on the property for the next several years. At a point where it has completed the required remediation, it will be removed from the property. Should you have any questions related to the function of the equipment or require clarification on anything included in this email please do not hesitate to contact me..

Kind Regards,
Shane

Shane Waterman, PG (MN, IN)
Principal Hydrogeologist



swaterman@wenck.com | 651.294.4588 C | 612.710.8021
We're Moving! Address as of January 20th - June 30th
2042 Wooddale Drive | Suite 160 | Woodbury, MN 55125

From: Shane A. Waterman
Sent: Thursday, May 7, 2020 11:29 AM



#435

PERMITTED USE STANDARDS APPLICATION FORM

INTRODUCTION

All permitted uses outlined in the Zoning Ordinance, Section 6-4, with the exception of single family dwellings and their accessory buildings are required to meet the standards set forth in Section 9-3, Permitted Use Standards Procedure of the Zoning Ordinance.

APPLICANT(S) Water Gremlin Co. PHONE (Home) _____

(Business) 651-429-7761
(Cell) _____

ADDRESS 4400 Otter Lake Road
White Bear Township, MN 55110

PROPERTY OWNER Water Gremlin Co

ADDRESS OF SITE 4400 Otter Lake Road ZONING I-1

EXISTING USE OF SITE Industrial

DESCRIPTION OF PERMITTED USE REQUESTED Water Gremlin Co is installing a remediation system at the address referenced above as a regulatory requirement related to mitigating vapor intrusion into the north campus building. The building is a 12' x 15' metal structure painted to match the exterior color of the manufacturing building. The building is proposed to be installed on the north side of the building near the north entrance to the site, facing Whilaker Street.

\$275 Fee (\$75.00 plus \$200.00 Expense Deposit)

CHECKLIST:

- _____ Site Plan – 15 full-sized copies (larger than 11 x 17) and one reduced size (8 ½ x 11)
- _____ Existing conditions (all buildings, open space, retention areas, utility areas, service areas, and storage areas).
- _____ Site improvements (proposed locations of buildings, parking areas, drives, fences, walls, signs, lighting, walkways, patios, decks and barriers).

- ___ 9. The proposal is consistent with the Comprehensive Plan and complies with other Ordinances.
- ___ 10. Will not result in unusual maintenance or repair costs of road, parking areas or utility lines.
- ___ 11. The maximum number of trees will be preserved.
- ___ 12. The type and density of land use proposed will be suited to site conditions.
- ___ 13. The proposed use will be designed, sited, oriented, and landscaped to produce a harmonious relationship with building and properties in the neighborhood.
- ___ 14. The site will be landscaped to screen undesirable features and enhance the development.

It is the policy of White Bear Township that all identifiable costs associated with Permitted Use Standards Permits within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs, (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.), shall be due upon receipt of a billing from the Township.

Shane Waterman, PG (MN, IN)

Digitally signed by Shane Waterman, PG (MN, IN)
DN: c=US, E=swaterman@weneck.com, O=Weneck
Associates, Inc., CN=Shane Waterman, PG (MN, IN)
Date: 2020.05.07 14:57:52-0500

May 7, 2020

Signature of Applicant(s)

Date

<u>To Be Completed By Office:</u>		CC payment	
Date Request Received	5/8/2020	7276	
By	Karen	\$75.00 Fee + \$200 Deposit Received	<input checked="" type="checkbox"/> Yes
	(Staff Member)		<input type="checkbox"/> No
Date Application Complete	_____		



ZONING CERTIFICATE

TOWN OF WHITE BEAR, MINNESOTA

I hereby certify that the real estate situated in the Town of White Bear, Ramsey County, Minnesota, described as follows, to-wit: The East 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 22, Township 30, Range 22, Ramsey County, Minnesota, and commonly known as 4400 Otter Lake Road (south campus); and the East 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 22, Township 30, Range 22, and the West 1/2 of the Northeast 1/4 of the Southeast 1/2 of Section 22, Township 30, Range 22, and commonly known as 4370 Otter Lake Road, is in a(n) I - 1 Light Industrial District and can be used for the following purpose: Construction of a 72,000 square foot addition onto their new southern campus, and construction of a 12' x 15' vapor mitigation structure on the north campus, all in accordance with the attached Requirements, pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: June 15, 2020.

TOWN CLERK

- CONDITIONAL USE PERMIT
- PERMITTED USE
- NON-CONFORMING USE
- SPECIAL HOME OCCUPANCY PERMIT
- OTHER: _____

Permitted Use Standards Permit Requirements

Water Gremlin
4400 Otter Lake Road (south campus)
White Bear Township, MN 55110

**This Permitted Use Standards Permit Supersedes the
Permitted Use Standards Permit Issued on December 17, 2018
August 7, 2017 & December 27, 2012**

1. The following Plans are adopted as part of this Zoning Certificate:
 - North Campus Vapor Mitigation Plan as shown on the North Campus revised layout 2019 - attached
 - Site Plan A-1 dated 5/31/2017
 - Floor Plan A-2 dated 5/31/2017
 - Exterior Elevation A-3 dated 5/31/2017
 - Perspective Views A-4 dated 5/31/2017
 - Existing Conditions C1-1 dated 6/1/2017
 - Demolition Plan C1-2 dated 6/1/2017
 - Site Plan C2-1 dated 6/21/2017
 - Grading & Drainage Plan C3-1 dated 6/1/2017
 - Stormwater Pollution Prevention Plan C3-2 dated 6/1/2017
 - SWPPP Notes & Details C3-3 dated 6/1/2017
 - SWPPP Notes & Details C3-4 dated 6/1/2017
 - Utility Plan C4-1 dated 6/1/2017
 - Civil Details C8-1 dated 6/1/2017
 - Civil Details C8-2 dated 6/1/2017
 - Landscape Plan L1-1 dated 6/1/2017
 - Lot Consolidation I-1 dated 5/31/2017
 - Title Sheet dated 12/10/12
 - Preliminary Removals Plan dated 12/10/12
 - Preliminary Site Plan dated 12/10/12
 - Preliminary Grading & Stormwater Pollution Prevention Plan dated 12/10/12
 - Preliminary Stormwater Pollution Prevention Plan dated 12/10/12
 - Preliminary Utility Plan dated 12/10/12
 - General Details Plan dated 12/10/12
 - Preliminary Landscape Plan dated 12/10/12
 - Landscape Details dated 12/10/12
 - First Floor Plan A 2.1 dated 11/1/12
 - Mezzanine Floor Plan A 2.2 dated 11/1/12
 - Elevation Plan A 5.1 dated 11/1/12
 - Pollution Control Building Elevation dated 11/12/18

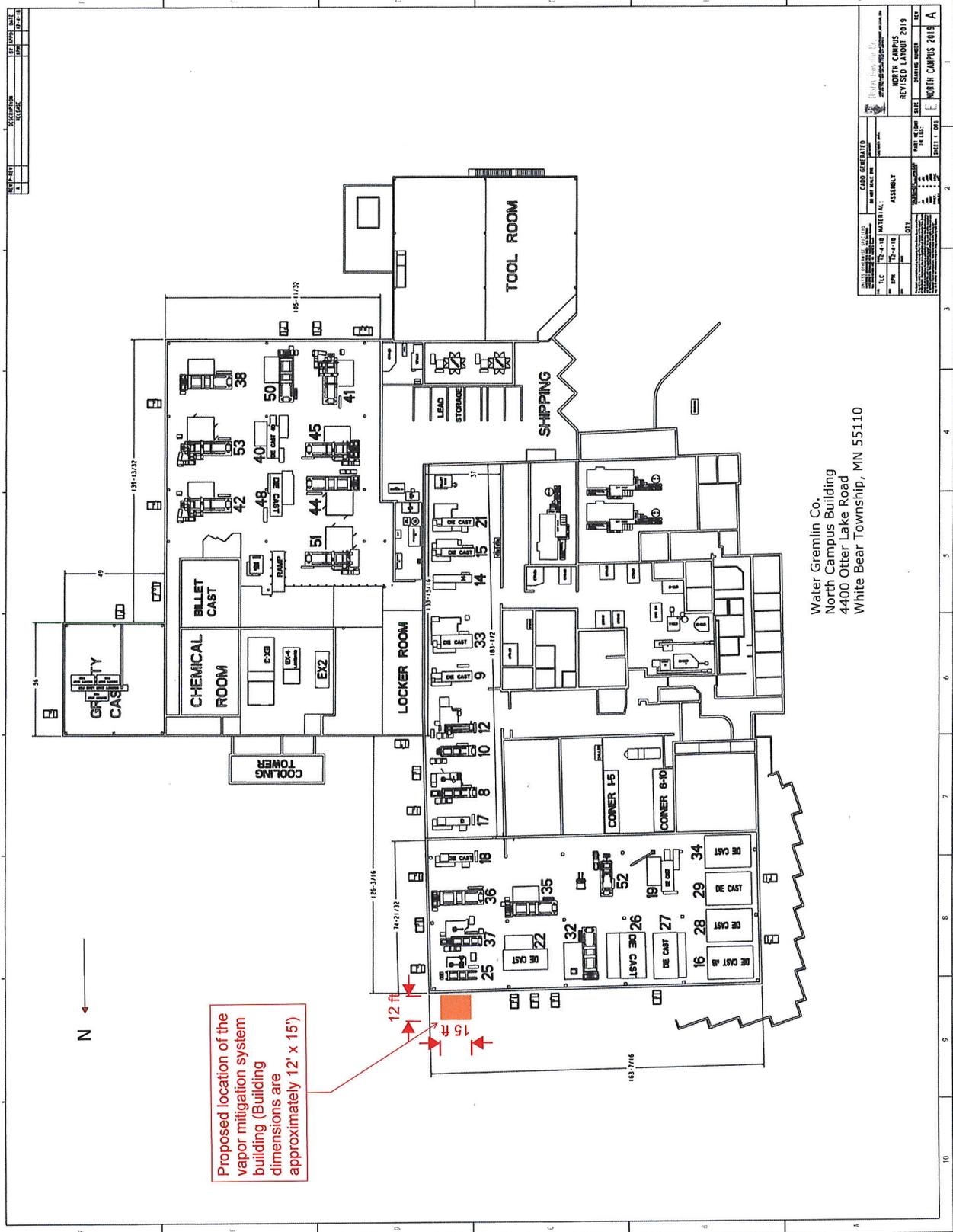
2. No tree removal shall take place during the months of May or June unless a tree removal plan which includes root graft severing is approved by Staff. This requirement is adopted to avoid oak wilt disease.
3. The required fire sprinkler system must be monitored by an approved control station monitoring company.
4. All rooftop mechanical shall be screened in a manner which compliments the building.
5. Building mounted lighting shall be concealed source type and shall not project glare onto adjacent properties.
6. All signs shall meet Town Ordinance requirements.
7. No employee parking shall be allowed on Whitaker Avenue or Otter Lake Road.
8. No construction equipment or dumpsters shall be located on Whitaker Avenue or Otter Lake Road.
9. That all drainage areas on the premises shall be in compliance with the Vadnais Lake Area Water Management Organization's rules and regulations.
10. Drainage and utility easements shall be provided along the right-of-way side of 4336 Otter Lake Road when acquired.
11. Applicant shall meet all other requirements imposed by Ramsey County.
12. All requirements of the Minnesota Pollution Control Agency.
13. All requirements of the Fire Inspector attached hereto.
14. All Federal and State statutes, rules and regulations and all local Ordinances shall be complied with.

Previously Satisfied

6. Parking lot lighting shall consist of structures which shall not project glare onto adjacent properties, and shall be a box type reflector using high pressure sodium lights or LED lighting. (Downward reflection, no lateral reflection.)
8. Any monument sign shall include the Town logo or the wording "White Bear Township" on the sign.
10. All pond outlets shall be located so that they are not in any wetland areas.
12. Emergency exit-way lighting shall be required in the building.
13. All parking lot paving shall be located outside of drainage and utility easements.

15. All quality trees which must be removed as a result of construction of the new building and are of a size which can be moved by a tree spade, shall be relocated on the Water Gremlin site or relocated within a Township park. Town staff shall review and approve the relocation of quality trees to be relocated.
16. An approved fire department lock box shall be provided by the owner.
17. Ponding easements shall be provided to the Town over the holding ponds.
18. Tree protective fencing as shown on the approved Landscaping Plan shall be installed at locations reviewed and approved by staff before grading may begin.
19. The following requirements of the Town Engineer shall be adhered to:
 - Applicant to provide a copy of the project specifications
 - Applicant to provide a traffic control plan for potential lane closures of Otter Lake Road
 - Regarding Sheet 3 -
 1. Very large areas are being concentrated onto silt fence. Provide j-hooks or other means to reduce flow along silt fence boundary.
 2. Final erosion control approval subject to Vadnais Lake Area Water Management Organization.
 - Regarding Sheet 5 -
 1. Provide legal documentation for private property storm sewer encroachment.
 - Regarding Sheet 6 -
 1. Provide legal documentation for private property storm sewer encroachment.
20. Water system demands must be submitted for review.
24. An underdrain system for the rain garden is recommended to achieve the modeled filtration rate. If an underdrain system is not incorporated, the HydroCAD model should be revised with no exfiltration outlet device in Node 5P.
25. Approval of a driveway permit(s) to connect the parking lot to Otter Lake Road shall be approved by Ramsey County.

TR/psw
cc:admin/add.file
b:watergremrequirements20



DATE	DESCRIPTION	BY
12-13-12	REVISED LAYOUT	AS

PROJECT	NO. 12-118	MATERIAL	ASSEMBLY
DATE	12-13-12	SCALE	1/4" = 1'-0"
DRAWN BY		DATE	12-13-12
CHECKED BY		DATE	12-13-12
APPROVED BY		DATE	12-13-12
PROJECT NO.		12-118	
SHEET NO.		1 OF 1	

Water Gremlin Co.
 North Campus Building
 4400 Otter Lake Road
 White Bear Township, MN 55110

Proposed location of the vapor mitigation system building (Building dimensions are approximately 12' x 15')



12 ft
 15 ft



White Bear Lake Fire Department
4701 Hwy 61
White Bear Lake, MN 55110
Tel. (651) 429-8568 Fax. (651) 429-8501

General Comments

1. This temporary building structure shall not obstruct fire access or drive lanes.
2. Building shall be properly setback as designated by the White Bear Township Building Official.
3. Provide and install dry chemical fire extinguishers certified for service and tagged as required. Service classification rating shall be a minimum 2A classification rating and maximum travel distance of 75 feet to extinguishers. The minimum classification rating may be upgraded for special or extra hazard areas within the occupancy.
4. The required fire-resistance rating of rated construction shall be maintained. Openings through rated construction for the passage of wiring, sleeves, conduit, piping, etc. shall be protected by repair with approved materials which maintains the rating of the construction damaged, altered, breeched or penetrated.

Codes and Standards Used for this Review

- ❖ This review is based on the following codes and standards as adopted and in effect in the State of Minnesota at the time of plan submittal.
 - 2020 Minnesota State Fire Code

Thank You,

A handwritten signature in black ink that reads "Kurt Frison".

Kurt Frison
Assistant Fire Chief / Fire Marshal
(651) 762-4842



**Town Board Meeting
June 15, 2020**

Agenda Number: 8.B – New Business

Town Engineer Item:

Subject: Leibel Street Stormwater Improvement Project:
1. Authorize Preparation of Plans & Specifications
2. Authorize Advertisement for Bids

Documentation: Public Works Director Memo / Town Engineer Correspondence

Action / Motion for Consideration:

Town Engineer Report at Meeting / Discuss

Based on Town Engineer & Staff Review & Recommendation:

- 1) Authorize TKDA to Prepare Plans & Specifications for the Leibel Street Stormwater Improvements Including the Bidding Process
- 2) Authorize Advertisement for Bids

In an Amount Not to Exceed \$5,800.00, With Funding from the Stormwater Utility Fund.

MEMORANDUM

Date: June 10, 2020

To: Town Board

From: Dale Reed, Public Works Director

Re: Approval of TKDA Authorization to Develop Plans and Specifications for Leibel Street Stormwater Improvement Project.

In 2019 I was inspecting an outstanding stormwater issue discovered when the new mini-storage facility was constructed in 2018. Upon further evaluation, I found the existing stormwater pipe condition to be poor. Drainage was still flowing from the East side of Highway 61 to the ditch between Hugo Road and the Railroad. In an effort to improve the existing drainage and make improvements for ease of future maintenance, from the East side of 61 to the West side and ultimately to Bald Eagle Lake, I am recommending the Town Board authorize TKDA to prepare plans and specifications for the Leibel Street Stormwater Improvement Project.

The Stormwater Utility Fund provides the funding for the project.

Town Board action to authorize TKDA to prepare plans and specifications and advertisement for bids.



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

June 10, 2020

Honorable Chairman and Town Board
White Bear Township, Minnesota

RE: Leibel Street Ditch & Storm Sewer Improvements
White Bear Township, Minnesota
TKDA Project No. 17727.000

Dear Board Members:

The Township continuously updates its listing of the storm sewer systems that has deteriorated and should be replaced. The Utility Commission reviews the proposed storm water projects list regarding these necessary projects based on staff recommendations due to the poor condition of the pipes including the inlets and outlets.

Currently, Public Works is currently dealing with a failed storm manhole structure, failed pipe and poor drainage due to the ditch erosion and sediments built up in the pipe. This storm system has been modified through the years and now is too long of an underground continuous system to maintain.

The existing lots and the new buildings on these lots use this drainage system for some of their storm conveyance system. The storm system runs from the business area to the west under Highway 61 and under the railroad tracks. Attached is record drawing #515 showing the most current but incomplete documentation that exists.

A survey analysis must be performed to determine the existing conditions that have changed through the years to determine the ditch improvements and storm pipe improvements including elevations to correct the current drainage issue. The process may require a two-step approach to investigate the failed system and determine possible staged improvements to correct high water impacts and failing pipe system.

The projects will be reviewed with Rice Creek Watershed District (RCWD) regarding the need for a permit. MnDOT and the Railroad will also be included in the process.

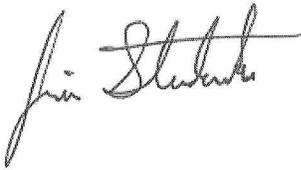
TKDA would work with White Bear Township staff, RCWD, MnDOT and the Railroad to prepare plans and specification for this project including the bidding process for an amount not to exceed \$5,800.00. We would bring the plans to the Town Board for approval to bid. We will perform the bidding process and then bring the bid results to the Town Board for approval to construct the project.

Leibel Street Ditch and Storm Pipe Improvements
June 10, 2020
Page 2

The Capital Improvements Plan has Storm Water Utility Funding for this type of project. The Stormwater Project Listing has the project estimated at a total of \$75,000.00.

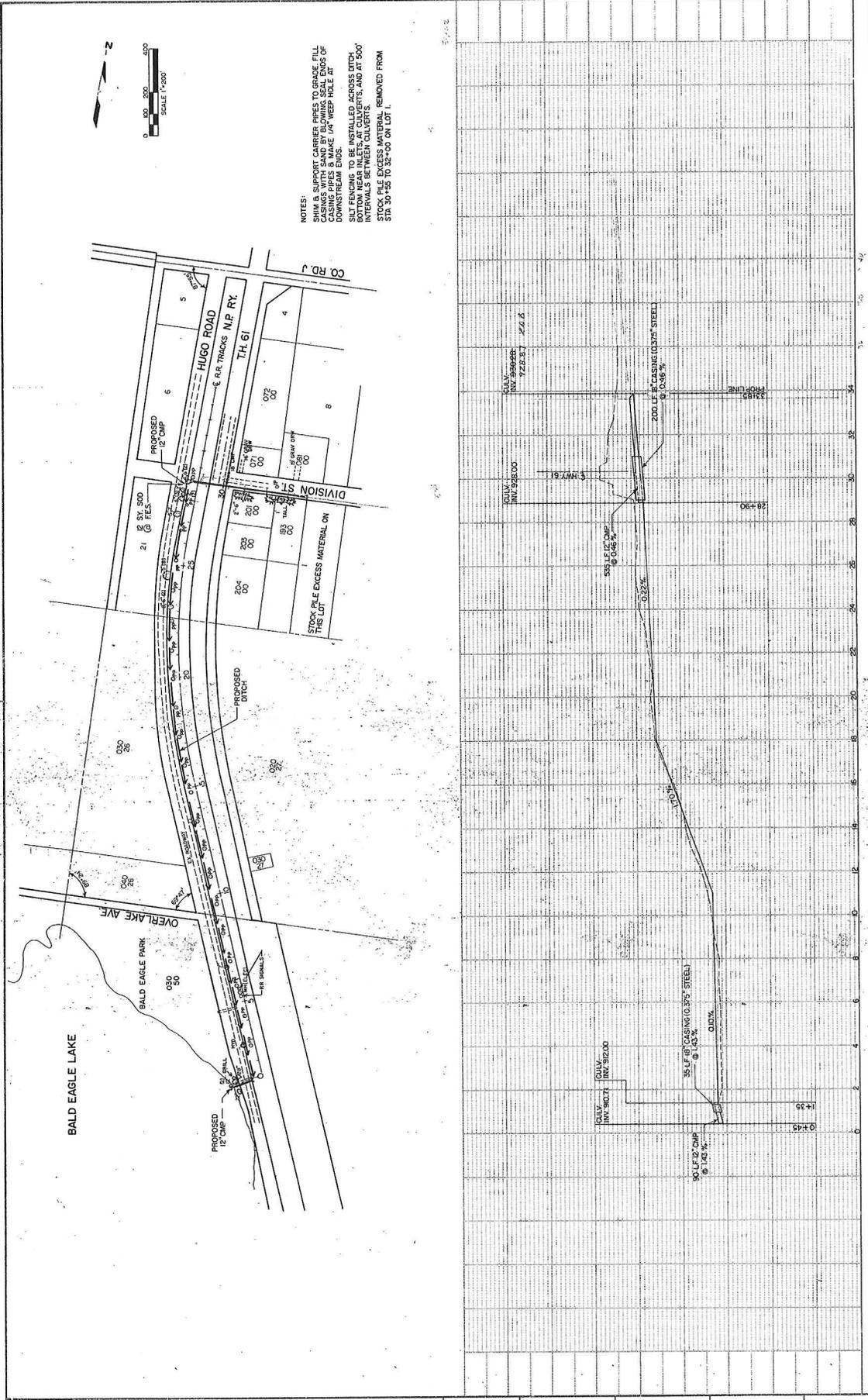
Please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Studenski". The signature is written in a cursive style with a long horizontal stroke extending from the end.

Jim Studenski, PE
Town Engineer
Attachment





NOTES:
 SHIM & SUPPORT CARRIER PIPES TO GRADE FILL
 CASING PIPES & MAKE 1/4" WEEP HOLE AT
 DOWNSTREAM ENDS.
 SLOTTING TO BE INSTALLED ACROSS DITCH
 AT 10' INTERVALS BETWEEN CULVERTS.
 STOCK PILE EXCESS MATERIAL REMOVED FROM
 STA. 30+55 TO 32+00 ON LOT 1.

DESIGNED BY		DRAWN BY		CHECKED BY		DATE	
MST		DLW		RNS			
REVISIONS							
NO.	DATE	BY	DESCRIPTION				
1			LENGTHENED STORM SEWER PIPE				
<p>ENGINEER'S ARCHITECTS PLANNERS TKDA TOLTE KING DIVALL ANDERSON AND ASSOCIATES INCORPORATED SAINT PAUL, MINNESOTA</p>							
<p>LEIBEL ADDITION STORMWATER DRAINAGE DITCH IMPROVEMENTS (1986-S)</p>				<p>PLAN & PROFILE SHEET NO. 2 OF 6 SHEETS</p>			
<p>CONTRACT NO. 8718</p>							



**Town Board Meeting
June 15, 2020**

Agenda Number: 8.C – New Business

Town Engineer Item:

Subject: Improvement 2020-5 - Otter Ridge Circle:

1. Receive Report.
2. Call Neighborhood Meeting.
3. Call Public Hearing for Road Improvement

Documentation: Resolution Receiving Report / Resolution Call Hearing

***Feasibility Report Sent Separately**

Action / Motion for Consideration:

Town Engineer Report at Meeting / Discuss

Based on Town Engineer Review & Recommendation:

- 1) **Adopt Resolution Receiving Report for a Street Improvement**
Ruzek – Moves McCune – Seconds
- 2) Call Neighborhood Meeting as Soon as Practical for the Affected Properties
- 3) **Adopt Resolution Calling Hearing on Improvement 2020-5**
Noting Hearing Date of July 20, 2020 @ 7:00 p.m.

Ruzek – Moves McCune - Seconds

Minutes
Town Board Meeting
May 18, 2020

OTTER RIDGE CIRCLE – AUTHORIZE PREPARATION OF A REPORT FOR A STREET IMPROVEMENT: The Town Engineer reported that this agenda item was brought to staff's attention

by the Board at the last Executive Town Board meeting in which the discussion of capitalizing on the favorable economic conditions for construction bids and loan interest rates. Since then, Town Engineers have worked with staff and looked at the 2014 feasibility study that would need to be made current if Otter Ridge Circle is decided to be added to the list of Town improvements for 2020. There was some discussion of whether the Town should consider this project with the Peterson Road Project. It was noted that this project would make sense to bid with another project. There was some discussion of timing and that construction season is underway already. The Engineer noted that if approved tonight, the feasibility study could be completed before the June 15th meeting, and then staff can proceed from there.

Ruzek moved to authorize TKDA to prepare a feasibility report in an amount not to exceed \$2,450.00 with funding from Improvement Fund 505. McCune seconded. Ayes all.

Ruzek moved to adopt resolution ordering preparation of a report on a street improvement. McCune seconded. Ayes all.

EXTRACT OF MINUTES OF A MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON JUNE 15, 2020

Pursuant to due call and notice thereof, a Special meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on June 15, 2020 at 7:00 p.m.

The following members were present: Prudhon, Ruzek, McCune; and the following members were absent: None.

Supervisor Ruzek introduced the following Resolution and moved its adoption:

**RESOLUTION RECEIVING REPORT FOR
A STREET IMPROVEMENT**

WHEREAS, pursuant to a Resolution of the Town Board adopted May 18, 2020, a report has been prepared by TKDA, consulting engineers, for the Town of White Bear, with reference to the construction of bituminous paving, concrete curb and gutter, storm drainage and other appurtenances thereto within the following area of the Township including: Otter Ridge Circle from Otter Ridge Road to Meadowview Drive, Ramsey County, Minnesota,

AND WHEREAS, the report provides information regarding whether the proposed project is necessary, cost-effective, and feasible,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA:

That the report heretofore prepared by TKDA is hereby received by the Town Board.

The motion for the adoption of the foregoing Resolution was duly seconded by Supervisor Ruzek, and upon vote being taken thereon, the following voted in favor thereof: Prudhon, Ruzek, McCune; and the following voted against the same: None.

Whereupon said Resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) ss.
)
TOWN OF WHITE BEAR)

I, the undersigned, being the duly qualified and acting Clerk of the Town of White Bear, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the attached and foregoing Extract of Minutes of a Special meeting of the Town Board of the said Town held on the 15th day of June, 2020, with the original on file in my office, and that the same is a full, true and complete transcript thereto, insofar as the same relates to a Resolution relates to Improvement 2020-5.

WITNESS my hand as such Clerk and the Town Clerk's Seal this 15th day of June, 2020.

TOWN CLERK, TOWN OF WHITE BEAR, MINN.

EXTRACT OF MINUTES OF A MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON JUNE 15, 2020

Pursuant to due call and notice thereof, a Regular meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on June 1, 2020 at 7:00 p.m.

The following members were present: Prudhon, Ruzek, McCune; and the following members were absent: None.

Supervisor Ruzek introduced the following Resolution and moved its adoption:

**RESOLUTION CALLING HEARING ON
IMPROVEMENT 2020-5**

WHEREAS, pursuant to a Resolution adopted June 1, 2020, a report has been received by the Town Board from TKDA with reference to the construction of bituminous paving, concrete curb and gutter, storm drainage and other appurtenances thereto, within the following area of the Township including: Otter Ridge Circle from Otter Ridge Road to Meadowview Drive, Ramsey County, Minnesota, estimating the cost of the improvement to be \$156,400.00

AND WHEREAS, Minnesota Statutes provide that no such improvement shall be made until the Board shall have held a public hearing on such improvement following two publications in the official newspaper of a notice stating the time and place of the hearing, the general nature of the improvement, the estimated cost thereof, and the area proposed to be assessed, which notice shall also be mailed to the owner of each parcel within the area proposed to be assessed not less than ten days before the hearing,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA:

1. Said improvement is hereby designated Improvement 2020-5.
2. A Public Hearing will be held in the Town of White Bear at Heritage Hall, 4200 Otter Lake Road, on Monday, July 20, 2020 at 7:00 p.m.

3. The nature of the improvement, the estimated cost thereof, and the area proposed to be assessed therefore are described in the form of Notice of Hearing hereinafter set forth.

4. The notice of said Public Hearing shall be in substantially the following form:



NOTICE OF PUBLIC HEARING ON PROPOSED IMPROVEMENT

Notice is hereby given that the Town Board of the Town of White Bear, Minnesota, will meet at Heritage Hall, 4200 Otter Lake Road, in the Town of White Bear, Minnesota on Monday, July 20, 2020, at 7:00 p.m., to consider the improvement. A reasonable estimate of the impact of the assessment will be available at the hearing.

The general nature of the improvement is set forth as follows: Construction of bituminous paving, concrete curb and gutter, storm drainage and other appurtenances thereto

The area proposed to be assessed for such improvement is every lot, piece or parcel of land benefitted by said improvement in the area of the Town of White Bear lying and being on Otter Ridge Circle from Otter Ridge Road to Meadowview Drive, Ramsey County, Minnesota.

The estimated cost of the improvement is \$156,400.00.

The Board proposes to proceed under authority granted under Minnesota Statutes, Chapter 429.

All persons desiring to be heard with reference to the proposed improvement will be heard at this meeting.

Dated: June 15, 2020.

BY ORDER OF THE TOWN BOARD OF SUPERVISORS

PATRICK CHRISTOPHERSON, Clerk-Treasurer

5. The Town Clerk is authorized and directed to cause notices of said hearing to be given two publications in the official newspaper, which publications shall be one week apart, and at least three days shall lapse between the last publication and hearing.

The motion for the adoption of the foregoing Resolution was duly seconded by Supervisor McCune, and upon vote being taken thereon, the following voted in favor thereof: Ruzek, McCune; and the following voted against the same: None: Abstain: Prudhon.

Whereupon said Resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) ss.
)
TOWN OF WHITE BEAR)

I, the undersigned, being the duly qualified and acting Clerk of the Town of White Bear, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the attached and foregoing Extract of Minutes of a Special meeting of the Town Board of the Town held on the 15th day of June, 2020, with the original on file in my office, and that the same is a full, true, and complete transcript therefrom, insofar as the same relates to a Resolution relating to Improvement 2020-5.

WITNESS my hand as such Clerk and the Town Clerk's Seal this 15th day of June, 2020.

TOWN CLERK, TOWN OF WHITE BEAR, MINN.



**Town Board Meeting
June 15, 2020**

Agenda Number: 8.D – New Business

Town Engineer Item:

Subject: Stable Property – Order Preparation of a Feasibility Report

Documentation: Town Engineer Correspondence & Map / Resolution

Action / Motion for Consideration:

Town Engineer Report at Meeting / Discuss

Based on Town Engineer & Staff Review & Recommendation:

Authorize TKDA to Prepare a Feasibility Report for a Total Amount Not to Exceed \$4,400.00 &

Adopt **Resolution Ordering Preparation of a Report on A Street & Utility Improvement**

Ruzek – Moves

McCune – Seconds



444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

June 11, 2020

Honorable Chairman and Town Board
White Bear Township, Minnesota

RE: Stable Property Improvements Feasibility
White Bear Township, Minnesota
TKDA Project No. 17727.000

Dear Board Members:

The Stable Property Improvements is a parcel of land off of Portland Avenue in the northeast portion of the Township. The feasibility report will be based off of a preliminary plat dated December 23, 2019. A copy of the preliminary plat is attached.

The feasibility report will also be based off of an existing preliminary plan layout dated December 30, 2019. The proposed road is the Township's standard 32-foot wide section and has concrete curb and gutter with the drive over D412 style curb. There are eight proposed residential properties for this development.

The first step in the Public Improvement process is to prepare a feasibility report to document the existing conditions and issues, the extent of the improvements and the cost of the proposed improvements.

The feasibility report will cover the type and extent of the proposed road and utility improvements. There is a substantial amount of material that will need to be brought into the development to achieve the proposed elevations.

The project will connect to an existing neighborhood to the north and to Portland Avenue to the east which is a Ramsey County Road. A new trail will make a connection from the north neighborhood to a new trail system at the south end of the development.

TKDA will work closely with staff, the Town Attorney and the Town Board through the entire process. The process will define the remaining components for the project to achieve a final design. We will discuss the project during the next Town Board Executive meeting to address the final improvements and necessary steps that still are to be completed by a developer.

Stable Property Improvements Feasibility
June 11, 2020
Page 2

The costs of the project will be part of the developer's process and no assessments will be defined in this report. The report will follow the existing preliminary documentation and won't make any changes to the design.

TKDA will work with White Bear Township staff and Town Attorney. TKDA will prepare the feasibility report for a total amount not to exceed \$4,400.00. The feasibility report will then be presented to the Town Board. The proposed improvement project will be discussed and ready for future development of the property.

The Township will determine the funding for this project.

Please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Poppler". The signature is fluid and cursive, with a long horizontal stroke at the end.

Larry Poppler, PE
Principal in Charge



EXTRACT OF MINUTES OF A MEETING OF THE TOWN
BOARD OF THE TOWN OF WHITE BEAR, MINNESOTA,
HELD ON JUNE 15, 2020

Pursuant to due call and notice thereof, a Special meeting of the Town Board of the Town of White Bear, Minnesota, was duly held at Heritage Hall in said Town on June 15, 2020 at 7:00 p.m.

The following members were present: Prudhon, Ruzek, McCune; and the following members were absent: None.

Supervisor Ruzek introduced the following Resolution and moved its adoption:

**RESOLUTION ORDERING PREPARATION OF A
REPORT ON A STREET & UTILITY IMPROVEMENT**

WHEREAS, it is proposed to acquire, install, and construct watermain extensions and appurtenances thereto, and a sanitary sewer collection system including collectors, laterals, mains and appurtenances thereto, and also street construction and re-construction, concrete curb and gutter and storm drainage and appurtenances thereto, in connection therewith in the area of the Township lying and being as follows:

Parcel 1: That part of the North Half of the Southeast Quarter of Section 1, Township 30 North, Range 22 West, described as follows: Commencing at the intersection of the centerline of Portland Avenue with the South line of the said North half; thence Westerly along the South line 250 feet to a point; thence North parallel to and 250 feet Westerly from said center line of Portland Avenue 233 feet to the point of beginning; thence continuing on the same line produced Northerly 420 feet more or less, to a line that is parallel to and 660 feet Southerly from the Northerly line of said Southeast Quarter; thence Westerly 210 feet along said 660 foot line to a point; thence South 420 feet; more or less, to a point that is 210 feet Westerly from the point of beginning; thence Easterly on a line that is parallel to and 233 feet Northerly from the said Southerly line 210 feet to the point of beginning; also the Northerly 60 feet of the Southerly 540 feet lying between the Easterly line of above described parcel and the center line of said Portland Avenue.

Parcel 2: All that part of the North Hal of the Southeast Quarter of Section 1, Township 30, Range 22 West, Ramsey County, described as follows: Commencing at the intersection of the centerline of Portland Avenue with the South line of the said North Hal of the Southeast Quarter; thence West along said South line 250 feet to the point of beginning; thence North parallel to center line of Portland Avenue 233 feet to a point; thence West parallel to said South line, 210 feet to a point, thence North parallel to said Portland Avenue centerline and



**Town Board Meeting
June 15, 2020**

Agenda Number: 8.E – General Business

**Subject: Request to Use Motorized Golf Cart on Township Streets
– Gerald & Kathy Ridlehoover, 5816 Red Pine Boulevard**

**Documentation: Staff Memo / Permit Allowing Operation of Motorized
Golf Cart on Town Roads / Resident Request**

Action / Motion for Consideration:

Report at Meeting / Discuss

Based on Staff Review & Recommendation Approve Issuance of a Permit Allowing Operation of a Motorized Golf Cart on Town Roads for a Period of One Year, From June 15, 2020 Through June 14, 2021, With the Conditions of the Permit Being Acknowledged by the Applicant by Way of Their Signatures on the Permit

Ordinance No. 39 (Highway/Traffic Regulations)
Section 6

SECTION 6. AUTHORITY TO OPERATE MOTORIZED GOLF CARTS ON TOWN ROADS.

6-1. Persons may operate motorized golf carts on Town roads only after a Permit has been issued to them by the Town.

6-2. The Permit form may be obtained from the Town offices and shall show compliance with the following requirements:

(A). Evidence of insurance showing that the applicant complies with the insurance requirements of the State of Minnesota.

(B). The permit will be issued for a period of one (1) year and there shall be a fee required for administrative services as established in Ordinance No. 54 (Fees and Charges), and this permit may be renewed annually. The Permit may be revoked at any time if there is evidence that the permittee cannot safely operate the motorized golf cart, after notice and hearing by the Town Board.

- (C). A motorized golf cart may only be operated on Town roadways from sunrise to sunset.
- (D). Motorized golf carts shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions.
- (E). Motorized golf carts shall not be operated at anytime when there is insufficient light to see persons and vehicles on the roadway at a distance of 500 feet.
- (F). All motorized golf carts shall display the slow moving vehicle emblem provided for by State Law.
- (G). Every motorized golf cart shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle.
- (H). The applicant must submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart on the Town roadways.

6-3. CROSSING INTERSECTING HIGHWAYS. The operator of a motorized golf cart may cross any street or highway intersecting a designated roadway.

MEMORANDUM

TO: TOWN BOARD
FROM: PATTI WALSTAD
DATE: JUNE 11, 2020

SUBJECT: GOLF CART PERMIT REQUEST

I received a request from Gerald & Kathy Ridlehoover, 5816 Red Pine Boulevard, wanting to be allowed to operate a golf cart on Township streets.

Pursuant to Ordinance No. 39 (Highway/Traffic Regulations), Section 6, motorized golf carts may be allowed to operate on Township roads as long as they comply with the following items:

- Evidence of insurance showing that the applicant complies with the insurance requirements of the State of Minnesota.

The Ridlehoover's have provided this information.

- The permit will be issued for a period of one (1) year and there shall be a fee required for administrative services as established in Ordinance No. 54 (Fees & Charges), and this permit may be renewed annually. The Permit may be revoked at any time if there is evidence that the permittee cannot safely operate the motorized golf cart, after notice and hearing by the Town Board.

The \$1.00 fee will be paid upon approval by the Town Board.

- All golf carts shall display the slow moving vehicle emblem provided for by State law.

The Ridlehoover's have submitted a picture depicting the slow moving vehicle sign attached to the cart.

- Every motorized golf cart shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle.

The picture shows mirrors.

- The applicant must submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart on the Town roadways.

The applicants both hold current Minnesota Driver's Licenses so they would like to waive this condition as they are able to legally drive a motor vehicle.

Ordinance No. 39, Section 6, also states the following:

- A motorized golf cart may only be operated on Town roadways from sunrise to sunset.
- Motorized golf carts shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions.
- Motorized golf carts shall not be operated at any time when there is insufficient light to see persons and vehicles on the roadway at a distance of 500 feet.

I have drafted a Permit outlining the above information, and will request that the Ridlehoover's sign the Permit also acknowledging that they have read and understand the conditions.

Requested Action:

Approve issuance of a Permit Allowing Operation of Motorized Golf Cart on Town Roads for a period of one year, from June 15, 2020 through June 14, 2021, with the conditions of the Permit being acknowledged by the applicant by way of their signatures on the Permit.

PSW/s
cc:admin/add.file
b:ridlehoover



Permit Allowing Operation of Motorized Golf Cart on Town Roads

Permission has been granted by the Town Board of Supervisors of White Bear Township to allow Gerald & Kathy Ridlehoover to operate a motorized golf cart on Town roads for the period of June 15, 2020 through June 14, 2021.

In conjunction with the granting of this Permit, the following requirements have been complied with:

- Evidence of insurance showing that the applicant complies with the insurance requirements of the State of Minnesota has been received.
- The permit will be issued for a period of one (1) year, and there shall be a fee required for administrative services as established in Ordinance No. 54 (Fees & Charges), and this permit may be renewed annually. The Permit may be revoked at any time if there is evidence that the permittee's cannot safely operate the motorized golf cart, after notice and hearing by the Town Board. The \$1.00 fee has been received by the Township.
- The applicants have provided evidence that they hold a valid Minnesota Driver's License which allows them to operate motor vehicles on Minnesota roadways.
- The Ridlehoover's have read and understand the following conditions:
 - A motorized golf cart may only be operated on Town roadways from sunrise to sunset.
 - Motorized golf carts shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog or other conditions.
 - Motorized golf carts shall not be operated at any time when there is insufficient light to see persons and vehicles on the roadway at a distance of 500 feet.
 - All motorized golf carts shall display the slow moving vehicle emblem provided for by State law.
 - Every motorized golf cart shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle.

Gerald Ridlehoover

Patti Walstad, Deputy Clerk
On Behalf of White Bear Township

Kathy Ridlehoover

Patti Walstad

From: Gerald Ridlehoover <gridle@live.com>
Sent: Wednesday, June 10, 2020 6:31 PM
To: Patti Walstad
Cc: Kathy R.
Subject: Request for Golf Cart Permit (Dr. Statement Waiver)
Attachments: IMG_0352.jpg; ATT00001.htm; IMG_0349.jpg; ATT00002.htm; Scan.pdf; ATT00003.htm

Caution: This email originated outside our organization; please use caution.

Hi Patti,

We recently purchased the golf cart shown below . We are both licensed drivers ages 72 and 71 .
Photo of licenses attached . Proof of insurance shown in PDF from State Farm .

We have no planned Dr. appointments and would like the Township to waive the required Dr.
statements required for obtaining a permit.

We received a paper copy from you of the applicable rules for operating and properly equipping
the cart .

Thanks for your consideration .

Gerald and Kathy Ridlehoover

5816 Red Pine Blvd .

White Bear Township , Mn . 55110





MINNESOTA

DRIVER'S LICENSE

NOT FOR FEDERAL IDENTIFICATION



1 RIDLEHOOVER
2 KATHLEEN ISABELLA
8 5816 RED PINE BLVD
WHITE BEAR TOWNSHIP, MN 55110-2393

4d DL# H888-062-138-724 4a ISS 09/09/2019
3 DOB 08/18/1948 4b EXP 08/18/2023
9 CLASS D 9a END NONE
12 RESTR NONE

DONOR

15 SEX F 17 WGT 180 lb
16 HGT 5'-03" 18 EYES GRN

Kathleen P.

5! DD 00000001920713 08/18/48



MINNESOTA

DRIVER'S LICENSE

NOT FOR FEDERAL IDENTIFICATION



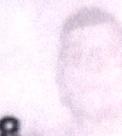
1 RIDLEHOOVER
2 GERALD ALLISON
8 5816 RED PINE BLVD
WHITE BEAR TOWNSHIP, MN 55110-2393

4d DL# B332-003-356-308 4a ISS 01/23/2020
3 DOB 01/30/1948 4b EXP 01/30/2023
9 CLASS D 9a END NONE
12 RESTR 2

15 SEX M 17 WGT 182 lb
16 HGT 5'-11" 18 EYES BRO

Gerald Allison

5! DD 00000002440422 01/30/48





- New
- Reinstatement
- Transfer

Recreational Vehicle Insurance Application

Office
Use

APPLICANT

Qualifying Policy Number 149 2154-A12-23E	Current Class	New Class	Replaces Policy Number	Other State Farm Insurance <input checked="" type="checkbox"/> Fire <input type="checkbox"/> Life <input type="checkbox"/> Health
Name Please Print RIDLEHOOVER	Last Name	First Name GERALD & KATHLEEN	Middle Name or Initial	Vehicle Household
Mailing Address 5816 RED PINE BLVD	Number and Street/Rural Route Number	City WHITE BEAR LK	State MN	ZIP Code 55110
Residence if other than mailing address	Number and Street/Rural Route Number	City	State MN	ZIP Code
Occupation RETIRED				

DRIVERS

During the past 5 years, have you, the applicant, any household member, or any regular driver: If answer to any question is yes, explain in remarks.

a. Had license to drive or registration suspended, revoked, or refused? Yes No

b. Been the driver in any motor vehicle accident or loss? Yes No

c. Been fined, convicted or forfeited bail for traffic violations? Yes No

Most recent Liability Carrier: **NEW PURCHASE** From: MM/DD/YY To: MM/DD/YY

List all Drivers (Use Remarks for additional drivers)	% Driving Vehicle	Occupation	Marital Status	If this is an added vehicle, complete area below for new drivers only					
				Driver's License Number/State	Birthdate MM/DD/YY	Licensed 3 Years	Sex	Relationship to Applicant	Chargeable
1 KATHLEEN	50	RETIRED	M			<input type="checkbox"/>		<input type="radio"/> M <input type="radio"/> F	
2 GERALD	50	RETIRED	M			<input type="checkbox"/>		<input type="radio"/> M <input type="radio"/> F	
3						<input type="checkbox"/>		<input type="radio"/> M <input type="radio"/> F	
4						<input type="checkbox"/>		<input type="radio"/> M <input type="radio"/> F	

VIOLATIONS/ACCIDENTS

Driver Number	Check Violations	Check Accident	Nature of violation or details of accidents (Dates, damages, injuries or deaths, and how accident occurred) (Use Remarks for additional drivers.)	No	Chargeable Yes - Amount
	<input type="radio"/>	<input type="radio"/>		<input type="checkbox"/>	\$
	<input type="radio"/>	<input type="radio"/>		<input type="checkbox"/>	\$
	<input type="radio"/>	<input type="radio"/>		<input type="checkbox"/>	\$

VEHICLES

Check type of vehicles to be insured.

Snowmobile Trail Bike Golfmobile Carrier Trailer Camping Trailer

All Terrain (A.T.V.) Minibike Dune Buggy Sled or Cutter Travel Trailer

NOTE: Complete Section on Page 2 *

Year: **2010** Make (Manufacturer) and Model: **ZONE SL** Engine (Complete one or both): H.P. C.C. Vehicle Identification Number: **5F8SEZ411AZ001407**

Will the vehicle be licensed for use on public roads? Yes No (If yes, please complete a private passenger application)

Purchased MM/DD/YY: **06/09/20** MSRP including equipment: **\$ 4,750.00** Existing damage: No Yes

B-Body 01 02 03 04 05 06 07 08 09 10 11 12 13 14 00
 G 03 06 09 12

See Prior Damage Diagram Explain in Remarks H M

Lien Code: _____ Lienholder: _____ Mailing Address: _____ ZIP Code: _____

For carrier trailer, sled or cutter only: Year: _____ Make (manufacturer) and model: _____ MSRP: \$ _____ Serial Number (if available): _____

*** The following questions concerning camping or travel trailers should be answered in full**

VEHICLES

Length (Feet)	Width (Feet)	Describe exact use of trailer	Are passengers ever transported in trailer? <input type="radio"/> Yes <input type="radio"/> No
Does applicant maintain other permanent living quarters for his own occupancy? <input type="checkbox"/> No	If yes, check appropriate categories <input type="checkbox"/> House <input type="checkbox"/> Other <input type="checkbox"/> Owned <input type="checkbox"/> Apartment <input type="checkbox"/> Rented		Number of months during year trailer will be used as living quarters?
Is trailer ever rented or loaned to others? <input type="checkbox"/> No	Yes, explain		
Is trailer used in connection with applicant's occupation? <input type="checkbox"/> No	Yes, explain	Is trailer ever used in connection with store office or display use? <input type="checkbox"/> No	Yes, explain

RATE

Materials Discount: Are all sides and roof of the vehicle, camper or trailer constructed of non-metal materials? Yes No

Auxiliary Lighting Discount <input type="radio"/> Yes <input checked="" type="radio"/> No	Territory 25	DRG 13 GRG 13	Class	Date and Time of Application MM/DD/YY Date 06/09/20 Time 4:45 <input type="radio"/> A.M. <input checked="" type="radio"/> P.M.	Agent's Code 23-7521
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COVERAGES

The insurance applied for is only for the coverages indicated by specific premium entry. If premium cannot be entered, check boxes to indicate coverage requested. The premium shown below must be in compliance with the Company's rules and rates and is subject to revision.

	Self-Propelled Vehicle	Trailer	Premium
<input checked="" type="checkbox"/> A BIPD Limits	250/500/100	-N/A-	9.31
<input type="checkbox"/> C Medical Payment Limits		-N/A-	
<input type="checkbox"/> D Comprehensive	Recreational Vehicle	Deductible Amount	
	Carrier Trailer	N/A <input type="checkbox"/> Same Deductible as Recreational Vehicle Described	
<input type="checkbox"/> G Collision	Recreational Vehicle	Deductible Amount	
	Carrier Trailer	N/A <input type="checkbox"/> Same Deductible as Recreational Vehicle Described	
<input type="checkbox"/> U Uninsured Motor Vehicle		-N/A-	
<input type="checkbox"/> W Under-Insured Motor Vehicle		-N/A-	
Endorsements			
MN Auto Theft Prevention Surcharge			1.00
			Totals
			10.31
SFPP Account Number	Remittance Received \$ 15.31	Balance Due \$	

BINDER Effective Date **06/10/2020**

State Farm Mutual Automobile Insurance Company
 State Farm Fire and Casualty Company

of Bloomington, Illinois, hereby binds coverage for the insurance applied for as of the requested effective date for a period of 60 days from such date, subject to all the terms and conditions of the applicable policy and endorsements in current use by such Company. Coverage under this binder will terminate (1) when the Declarations Page of a policy is issued to you or (2) when canceled in accordance with law.

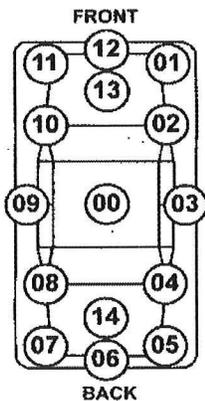
APPLICATION

By submission of this application, you agree that: (1) You have read this application, (2) your statements on this application are correct, (3) statements made on any other application on this date for automobile insurance with this company are correct and are made part of this application, (4) you are the sole owner of the described vehicle except as otherwise stated, and (5) the limits and coverages were selected by you. **IT IS FURTHER UNDERSTOOD AND AGREED THAT NO INSURANCE IS EFFECTIVE UNDER THIS AGREEMENT (A) UNLESS THE BINDER IS COMPLETED DESIGNATING THE COMPANY ACCEPTING THIS APPLICATION OR (B) UNTIL THE DATE THE POLICY OR BINDER IS ISSUED BY THE COMPANY ACCEPTING THIS APPLICATION.**

Consumer reports, including credit and insurance loss history reports, may be ordered in conjunction with this application to help determine your eligibility for insurance and the price you are charged. In addition, consumer reports may be used to determine the price you are charged at renewal. We may also obtain and use a credit-based insurance score developed from information contained in these reports. We may use a third party in connection with the development of your insurance score. A brochure explaining how State Farm uses consumer reports is available upon your request. For additional information, please contact your State Farm agent.

PRIOR DAMAGE DIAGRAM

Remarks



**NOTICE CONCERNING POLICYHOLDER RIGHTS IN AN
INSOLVENCY UNDER THE MINNESOTA INSURANCE
GUARANTY ASSOCIATION LAW**

The financial strength of your insurer is one of the most important things for you to consider when determining from whom to purchase a property or liability insurance policy. It is your best assurance that you will receive the protection for which you purchased the policy. If your insurer becomes insolvent, you may have protection from the Minnesota Insurance Guaranty Association as described below but to the extent that your policy is not protected by the Minnesota Insurance Guaranty Association or if it exceeds the guaranty association's limits, you will only have the assets, if any, of the insolvent insurer to satisfy your claim.

Residents of Minnesota who purchase property and casualty or liability insurance from insurance companies licensed to do business in Minnesota are protected, **SUBJECT TO LIMITS AND EXCLUSIONS**, in the event the insurer becomes insolvent. This protection is provided by the Minnesota Insurance Guaranty Association.

Minnesota Insurance Guaranty Association
4640 West 77th Street, Suite 342
Edina, Minnesota 55435
(952) 831-1908

The maximum amount that the Minnesota Insurance Guaranty Association will pay in regard to a claim under all policies issued by the same insurer is limited to \$300,000. This limit does not apply to workers' compensation insurance. Protection by the guaranty association is subject to other substantial limitations and exclusions. If your claim exceeds the guaranty association's limits, you may still recover a part or all of that amount from the proceeds from the liquidation of the insolvent insurer, if any exist. Funds to pay claims may not be immediately available. The guaranty association assesses insurers licensed to sell property and casualty or liability insurance in Minnesota after the insolvency occurs. Claims are paid from the assessment.

THE PROTECTION PROVIDED BY THE GUARANTY ASSOCIATION IS NOT A SUBSTITUTE FOR USING CARE IN SELECTING INSURANCE COMPANIES THAT ARE WELL MANAGED AND FINANCIALLY STABLE. IN SELECTING AN INSURANCE COMPANY OR POLICY, YOU SHOULD NOT RELY ON PROTECTION BY THE GUARANTY ASSOCIATION.

THIS NOTICE IS REQUIRED BY MINNESOTA STATE LAW TO ADVISE POLICYHOLDERS OF PROPERTY AND CASUALTY INSURANCE POLICIES OF THEIR RIGHTS IN THE EVENT THEIR INSURANCE CARRIER BECOMES INSOLVENT. THIS NOTICE IN NO WAY IMPLIES THAT THE COMPANY CURRENTLY HAS ANY TYPE OF FINANCIAL PROBLEMS. ALL PROPERTY AND CASUALTY INSURANCE POLICIES ARE REQUIRED TO PROVIDE THIS NOTICE.

Notice of insurance information collection practices - personal, family, or household insurance transactions: We may collect personal information from persons other than the individual or individuals applying for coverage. Such personal information as well as other personal or privileged information subsequently collected may, in certain circumstances, be disclosed to third parties without your authorization as permitted by law. If you would like additional information about the collection and disclosure of personal information, please contact your State Farm agent. You may also act upon your right to see and correct any personal information in your State Farm files by writing your State Farm agent to request this access.



**Town Board Meeting
June 15, 2020**

Agenda Number: 9 –10-11-12

Subject:

9. Open Time
10. Added Agenda Items
11. Receipt of Agenda Materials & Supplements
12. Adjournment

Action / Motion for Consideration:

Open Time

Added Agenda Items

Receive All Agenda Materials & Supplements for Tonight's Meeting

Adjourn Meeting