



Regular Board Meeting  
Wednesday September 25, 2024, 6:00 pm

The Town of Big Lake Board of Supervisors met in regular session, at 6:00 PM, on Wednesday September 25, 2024, at the Town of Big Lake Town Hall, located in the Big Lake Township's Lions Park Community Center, at 21960 County Road 5 NW, Big Lake Township, Sherburne County, State of Minnesota. The meeting was called to order by Chairman Bruce Aubol and the Pledge of Allegiance was recited. Supervisor Larry Alfords, Supervisor Brenteson, Supervisor Laura Hayes, Supervisor Mark Hedstrom, Clerk Brenda Kimberly-Maas, Treasurer Ken Warneke, Deputy Treasurer Becky Guthrie, Fire Chief Seth Hansen – Big Lake Fire Department, Maureen Mossak – Sherburne County Environmental Specialist, Mitch Glines - Sherburne County Senior Planner members from Boy Scout troop 93 – Tyler Boman, Aaron Bowman, Mark Hart, and Noah Hart, County Commissioner Raeanne Danielowski, and newspaper reporter Katie Cantin.

#### Approval of Meeting Agenda

Motion/Second to approve the presented agenda by: Alfords/Brenteson. Approved by: Alfords, Aubol, Brenteson, Hayes, and Hedstrom. Motion Prevailed. The meeting proceeded in accordance with the presented agenda.

#### Approval of Consent Agenda

The Consent Agenda consisted of the approval of minutes from the Regular Board on September 11, 2024, claims and payroll presented, and adoption of Resolution 2024-17 Quarterly Zoning Amendments.

Motion/Second to Approve consent agenda by: Brenteson/Hedstrom. Approved by: Alfords, Aubol, Brenteson, Hayes, and Hedstrom. None Opposed. Motion Prevailed.

#### Fire Department Report

Chief Seth Hansen was in attendance and reported 2024 calls of service through the end of August at 268 – 184 City of Big Lake, 58 Big Lake Township, 12 Orrock Township, 14 mutual aid calls. Calls of interest in August included 3 fires, 4 motor vehicle accidents (MVA), 5 hazardous conditions, and 3 medical assists. Training for June & July consisted of water supply and fire suppression. Sources of water supply, means of moving water, hydrants and distribution systems, NFPA 1410 basics, tactics, and roles for firefighter positions in truck were covered. The department participated in two special events in September. They brought the ladder and raised a flag at the funeral of Stella Husa – the oldest gold star mother. They also raised a flag on the CSAH 15 overpass in remembrance of 9/11. Several members celebrated anniversaries in September. Josh Matich and Lt. Eric Rosa – 7 years; Terry Baxter, Brady Bagne, Capt. Sam Hanson, Jesse Hemauer, and Noel Krebs – 6 years; Eric Boe, Steve Christenson, Ryan Lien, and Trever Roediger – 2 years. October is Fire Prevention Month. The department will visit Big Lake elementary schools and teach the children about fire prevention. As well as station tours for children. The annual open house will be held Saturday October 12<sup>th</sup>. There will be a lot of vendors, emergency vehicles, kitchen fire demonstration trailer, a lot of fun things for the kids – including pumpkins provided by Beck's Elk River Greenhouse. General updates included the approval of BLFD Relief Association moving to the PERA State Volunteer Firefighter fund by both of the department's governing bodies. The hiring process has begun – there were 7 applicants, helped at the Big Lake High School Career Fair, truck bay resurfacing bids are being sought, there are still raffle

tickets available for cash drawing during the open hours, Hwy 25 bridge in Monticello is still under construction, and CSAH 4 is reopened. BLFD responded to four calls in Zimmerman's coverage area, during CSAH 4 construction.

#### Open Forum

None.

#### Regular Business

##### County Planning and Zoning updates – solid & hazardous waste and cannabis ordinance

Maureen Mossak updated the Board on solid waste and hazardous waste in the County. The County performed a feasibility study for the need of a permanent hazardous waste facility and found that one would be beneficial for the residents. A location has yet to be determined. Another feasibility study for source separated organics (SSO) recycling within the county was performed. The catalyst for this was the increase in the amount of waste going to the landfill since the closure of the Great River Energy waste burning facility. The amount of waste being landfilled has doubled the year after the closure and continues to increase. SCORE grant money was used to start a pilot SSO program in Becker schools. Leftovers are fed to livestock. The County is looking to replicate the program in other schools/cafeterias. There was a collection event for mattresses and cardboard only on September 7<sup>th</sup>. This annual event is well attended and held at Vonco II in Becker. Planning & Zoning Solid Waste department ensures septic systems within the county are compliant. They have two programs to assist homeowners with the cost to upgrade failing systems. Low interest loans and low-income grants are available to qualifying residents. The Solid Waste department is also seeking locations for satellite household battery recycling. The locations would be equipped with a locked storage container where staff would place household batteries that are brought in by county residents. The Board would like more information on this so they can discuss it to determine if the town hall would be a suitable location. Maureen also thanked the Board for allowing the household hazardous waste event to be held at the Town Hall on September 10<sup>th</sup>. Commissioner Danielowski informed the Board there were 137 households served during the 3-hour event.

Mitch Glines was present to update the Board on ordinance work being done in the department. Work has been completed on the SSTS, shoreland, and floodplain ordinances to get into compliance with State legislation. They are now working on a new cannabis ordinance and revising current ordinances to address accessory dwelling units and short-term rentals. The cannabis ordinance needs to be implemented before January 1, 2025, per State legislation. The State will issue cannabis permits. Statute permits the local unit of governance (LUG) to establish ordinances regulating the time, place, and manner of the operation of "cannabis businesses"; businesses licensed to sell cannabis flower/products may not sell regulated products between 2 a.m. and 8 a.m. M-Sat, or 2 a.m. and 10 a.m. Sun. (excludes licenses for edibles or medical cannabis); LUGs may adopt an ordinance prohibiting sales between 9 p.m. and 2 a.m. or between 8 a.m. and 10 a.m. M-Sat. (excludes licenses for edibles or medical cannabis); A LUG may prohibit the operation of cannabis business within 1,000 ft of a school, or 500 ft of a day care, residential treatment facility, or an attraction within public park that is regularly used by minors, including a playground or athletic field; there may be opportunity to also set minimum distances between cannabis businesses. The ordinance being drafted by the County will regulate retailers, registration, and enforcement. Designate permitted, conditional and interim uses of different cannabis businesses. It will cover overlay districts, standards for temporary cannabis events, establish performance standards for environmental concerns, security and operational plans. The County placed a moratorium on cannabis which will expire on January 1, 2025. Major items which need to be addressed before the moratorium expiration include clarifying the Zoning Department's responsibilities within the County (Licensing vs Land Use); creating procedures for new cannabis businesses in Sherburne County; create FAQs for the County's website; establish Governing Authority via Joint Powers Agreements

with cities and townships; adopt cannabis ordinance(s); establish registration process; create applications for cannabis business requests. The Board was given the draft ordinance to review and asked to give comment prior to or at the Public Hearing during the Sherburne County Planning Advisory Commission meeting on October 17, 2024. The Board decided to place the matter on the October 9, 2024 agenda for their comments to be compiled for Mitch.

#### Eagle Merit Badge project in Big Lake Township's Lions Park

Scout Tyler Bowman – Troop 93 was present to request permission from the Board to place acknowledgement plaques/signs on Eagle Badge projects, which have been installed in the township's Lions Park. This will be Tyler's Eagle Merit Badge project. Tyler said the troop has identified 11 projects that were installed in the park. His project would provide recognition to the Scout that completed the project, create awareness of Boy Scouts of America at the park, and give public recognition of troop support given by the Town and Big Lake Lions. The signs will be professionally made, have a protective UV coating, and will either be placed on the project or on a post near the project – posts will be cemented in place. Tyler also plans to make repairs or provide maintenance to existing projects in need, as part of his Eagle Merit Badge project. Supervisor Aubol said he has seen similar signs at John Wicht Lions Park, in Elk River and they look very nice.

The Board felt this would be a fitting project and told Tyler they support it. Supervisor Aubol asked Tyler to connect with him to make sure all projects were identified and any posts needed are installed in a manner that will be conducive to mowing and park maintenance.

#### Benafica Plan Open Enrollment – Employee QSEHRA Benefit

The Town Board began offering employees a Health Reimbursement Account benefit in 2021. The benefit is administrated by Benafica. Staff was notified the plan open enrollment period has begun and will end on October 15, 2024. It is during this time that the Board may make changes to the plan.

Changes the Board can make are to cancel the plan or adjust it's design – allowable for reimbursement. The Board historically, has allowed employees to use the benefit for any item which is considered a medical expense per the IRS guidelines found in publication 502 (roughly 93 items).

The clerk will notify Benafica of the Board's decision(s) before October 15, 2025, to avoid any consulting charges of \$125/hour.

Level of benefits can be determined once the Federal Government releases their 2025 medical expense limits – generally in November. The Town's 2024 QSEHRA plan provides the clerk, deputy clerk with the annual benefit of \$6,150 each – the full IRS allowed medical expense, and treasurer annual benefit of \$3,075. – ½ the IRS allowed medical expense. The Board does not offer this benefit to the deputy treasurer, at present. However, additional employees can be added to the plan at any time. Benafica did not notify staff if there will be any changes to the plan's administration fees. The Board felt they wanted to continue with offering the HRA benefit. Supervisor Hayes mentioned she would like to have the Board consider offering the plan to the Deputy Treasurer position. Supervisor Hedstrom said the Personnel Committee had opted to offer a higher wage instead of the HRA benefit, when the position was filled. Supervisor Aubol suggested they review adding the Deputy Treasurer position to the plan at a later time.

No Action was necessary since the Board was maintaining the plan as currently offered.

Clerk Maas will notify Benafica that the Town will continue with the plan as is currently offered before the 15<sup>th</sup> of October.

#### Dog Vaccination & Well water Nitrate testing event report

The town hosts an annual event where dog vaccinations and nitrate level testing of well water is provided. The 2024 event was held on Saturday September 21st. Barrington Oaks Veterinary Clinic provided 1-year protection of rabies, DHPP (distemper), and Lyme's to roughly 35 area canines.

Sherburne County Soil and Water Conservation District (SWCD) provided nitrate level tests to 7 county residents. There were 2 tests resulted in higher than the safe threshold. Those wells were located within Big Lake Township and Clear Lake Township. Residents were given treatment options to help resolve the issue.

The veterinarian has offered to provide feline vaccinations in 2025, as he saw an increase in

feline clients at a “pop-up” clinic he held for another local governing agent. Clerk Maas has accepted his offer.

### Big Lake Fire Station Parking Lot Upgrades

Fire Department Joint Powers Board requested Layen Otteson, the City of Big Lake’s Engineer to research existing conditions, identify options, prepare plan and get quotes to resurface the Fire Station parking lot. Supervisor Brenteson and Layne Otteson worked together and found the parking lot surface to need resurfacing, as well as improvements to its drainage. Discussions led to improving snow plowing operations by replacing barrier curb with surmountable curb in strategic locations. Over the years, the storm water outlets into the grass swale areas have built up and are holding water back. This has deteriorated the asphalt requiring full depth patching. There is also concern that sanitary sewer service will freeze again where it is only has about 5.5 feet of cover on the west side near County Road 43.

Parking lot improvements will include replacing curbing and adjusting elevation to improve flow across pavement to low spots; mill and overlay all asphalt surface parking lot areas. A 2 ½” layer of new asphalt will be laid along the pathway for heavy vehicles. The remaining area of the parking lot will receive two inches; Insulate 100 feet of the sanitary service (west side); lower and regrade portions of the grass swale area near three outlets in the curb line. The work specifications reflect the City’s standard specifications for construction and materials.

The work will take several weeks and will begin around the time of the Fire Department Open House event on October 12<sup>th</sup>. The Contractor is aware of the attendance of children and various events and will work around the event so as not to impact event activities. The mill and overlay portion will take place following the event.

The BLFD CIP budget identified \$100,000 for parking lot improvements. The scope was adjusted to get as many drainage improvements as possible and stay within budget. This final cost is expected to be the amount quoted, unless patching area increases.

Quotes were requested. Several contractors were not interested in the work and declined. The two quotes received were in the amount of \$130,000 from Kirchoff Construction and \$94,611.00 from ASTECH. ASTECH’s quote was reviewed and found to be within budget and without irregularities by Supervisor Brenteson and Layne Otteson. The 50/50 cost share is estimated to be \$47,500 each to the Town and City.

Motion/Second to award contract for resurfacing and improving the Big Lake Fire Station parking lot to ASTECH in the amount of \$94,611.00. The Town’s portion is estimated to be \$47,500.00. Award is contingent upon the City of Big Lake awarding the contract simultaneously at their Council meeting on September 25, 2024, by: Hayes/Alfords. Approved by: Alfords, Aubol, Brenteson, Hayes, and Hedstrom. None opposed. Motion Prevailed.

### Roads

Supervisor Brenteson reported; vendors continue to work on summer projects. There has been significant work done to resolve drainage issues in Birch Lake Beach right-of-ways, including jetting of culverts and basin clearing.

Supervisor Alfords said the Road Committee will be performing the fall road tour beginning October 7<sup>th</sup>. Additional dates needed will occur through the 10<sup>th</sup> of October.

Supervisor Aubol asked when the larger trees are planned to be removed. The trees removal was pushed back and review of the trees that need to be removed will be reviewed during the fall road tour.

The Road Committee identified roads which fit the rural residential roadway definition and will need to have the 35MPH signs installed. The number of signs needed were ordered and have been delivered. The Board will be presented a resolution to identify 35MPH roads and have signs installed, so the speed limit of 35MPH can be enforced on the roads. Currently the roads are not enforceable at a lower speed limit than 55 MPH per MN statutes.

Supervisor Hedstrom asked if there was any update to the exception of installing cluster mailboxes per the current US Postal Service requirements. Clerk Kimberly-Maas informed the Board

the Big Lake Postmaster continued the pursuit of exception with the Postal Service. Because we already have 2 residences on 174th using single box posts (22129 and 22087); Kelly was able to get any new addresses which start with 220## or 221##, on 174th St NW, excepted from the new standard, including the three new builds. The new house in Meadow Estates North house number 22196, currently has a temporary post installed near the driveway, which will need to be moved. Per Ordinance 1150, homes with driveways in the cul-de-sac need to have their posts installed together before or at the entrance of the cul-de-sac.

Per their purchase agreement, Ziegler will be making improvements to the platted road to be called 220th Ave., so the Johnson's will be able to access 174th St. We don't know if the address of the property will change or if it will stay the same and the CR 83 mailbox will continue to be where their mail will be delivered. If a 174th St. address is issued, it should be within the 220## series.

The parcels adjacent to CR 83 will access their property via CR 83 – a 55MPH road, and their mailbox posts will be swing-style.

Between 2-4 lots may end up with addresses below the 220## in Meadow Estates South, when building permits are issued. Those parcels won't be part of the grandfathering exception.

After learning there has been success with efforts to get exclusions and that the Big Lake Postmaster is continuing his efforts to get additional exclusions in the Meadow Estates South plat; the Board reconsidered their stance on submitting another letter. Staff was directed to send a letter further up the US Postal chain asking for exception from the cluster-style mail boxes and allow for the installation of swing-style mailbox posts installed, for new installations.

#### Business from the Board – Committee Reports/Updates

Supervisor Hedstrom attended the first Community Ed meeting. He reported they are looking at creating different pricing for various groups. They discussed the use of the fitness center by youth associations which have concerns about the rates they pay. A meeting was going to be held to discuss this with the youth groups on September 26<sup>th</sup> to discuss this. The Community Ed unofficial budget showed a gain of \$140,000 in 2023. They are looking to reduce the balance. Discussion on the referendums which will be on the November ballot were also discussed. There will be no net change to property taxes if all three are passed. Part of the money from one of the referendums will be used to build a \$29,000,000 facility that will connect the middle school to the high school. This will be a community facility.

Supervisor Aubol attended the Planning & Zoning Advisory Committee meeting where the KAP storage facility was approved. Richard Achman's CUP for a storage facility without a primary residence was also approved. The draft cannabis ordinance was also discussed during the meeting. Supervisor Aubol noted he will be unable to attend the October 17<sup>th</sup> Planning Advisory meeting. Supervisor Hedstrom is the alternate but is also unable to attend.

Supervisor Brenteson gave an update on CMRP. He told the Board that the organization continues to work toward its non-profit status. A CMRP spinoff group has been formed to discuss the Monticello to Big Lake HWY25 corridor.

#### Treasurer's Business

##### Treasurer's Report

Treasurer Warneke reviewed the Treasurer's Report and financial statements with the Board. He said the fund balances look good, and another property tax installment will be made in November. Crack fill material has been purchased and will be stockpiled for 2025 crack fill work. Accounts balances highlighted in the report included the road fund balance (\$ 1,082,594.31) and general fund balance (\$ 349,383.84). The town treasury ending balance (less escrows) after payment of approved claims was \$ 2,825,524.84 and escrow funds balance of \$ 158,181.68. The total town treasury balance: \$ 2,983,706.52.

Motion/Second to approve the Treasurer's report by: Hayes/Hedstrom. Approved by: Aubol, Alfords, Brenteson, Hayes, and Hedstrom. None opposed. Motion Prevailed.

*Financial Reports are retained as part of the Official Minutes, which are available in the Clerk's Office.*

Announcements

- Sherburne Wildlife Refuge Festival Saturday September 28th 10AM – 2PM
- Veteran's Dinner – Saturday October 12th 11AM – 2PM (or until food is gone)
- Joint Meeting – Wednesday October 9, 2024 @ 4PM – City Council Chambers
- Next Town Board Meeting Wednesday October 9, 2024 @ 6PM
- BLFD Open House Saturday October 12th 11AM – 2PM

Adjournment:

Motion/Second to adjourn Regular Board Meeting at 7:58 PM by: Hayes/Alfords. Approved by: Aubol, Alfords, Brenteson, Hayes, and Hedstrom. None opposed. Motion prevailed.

Respectfully Submitted,

Brenda Kimberly-Maas, Clerk

Accepted this 9th day of October 2024, by the Town of Big Lake Board of Supervisors.

\_\_\_\_\_  
Bruce Aubol, Chair

Attest: \_\_\_\_\_  
Brenda Kimberly-Maas, Town Clerk