



Regular Board Meeting
Wednesday October 09, 2024

The Town of Big Lake Board of Supervisors met in regular session, commencing 6:10 PM, on Wednesday October 09, 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 Alford, Supervisor Brenteson, Supervisor Laura Hayes, Supervisor Mark Hedstrom, Treasurer Ken Warneke, Clerk Brenda Kimberly-Maas, Deputy Treasurer Becky Guthrie, Sergeant Derek Barret - Sherburne County Sheriff's Department, Brian Fleming – Sherburne County Economic Development Coordinator, Sebastian Gaida – Boy Scout Troop #93, County Commissioner Raeanne Danielowski, newspaper reporter Katie Cantin, and three members of the public were in attendance.

Approval of Meeting Agenda

Motion/Second to approve the presented agenda by: Hedstrom/Alford. Approved by: Alford, 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 25, 2024, claims and payroll presented, and adoption of Resolution 2024-19 A Resolution Appointing Election Judges for the 2024 General election.

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

Sherriff's Report

Sergeant Derek Barrett was in attendance and reported 296 calls in the township, for the month of September 2024. Sergeant Barrett reported an uptick in traffic stops compared to the same month in 2023. He said that over 50% of them were related to speed. A significant accident occurred in the township involving a motorcycle – alcohol was not a factor. There was a theft of auto parts in the 20100 block of Hwy10, as well.

Regular Business

New County Economic Development Coordinator

Brian Fleming, the new Sherburne County Economic Development Coordinator was in attendance to introduce himself and his role with the county. His role is to provide solutions and support for a strong economy in the County. Subjects that are considered are transportation, broadband, home ownership, and childcare needs. Supervisor Brenteson wondered if the solution for childcare providers appears to be simple or more complex. Brian said there are many considerations that need to be taken into account and there is no one good solution, since the needs of families is very individual, and the industry is historically one which providers struggle to make good wages. Location and transportation can also be a hinderance.

Mason Bee hotels – Eagle Badge project update

Sebastian Gaida was in attendance to update the Board on his Eagle Badge project of building hotels for solitary bees, which are excellent pollinators, and installing them in the Township's Lions Park. This effort will assist in rewilding portions of the park. Since his first visit in April, Sebastian has spoken with a professor of biology and native bee expert. He incorporated feedback from the professor to increase the number of houses from 3-5 to 12 and install them in clusters of 4. They have been equipped with hardware cloth mesh in front of the "rooms" to prevent birds from eating the larvae. The houses will be located where there is ample sunlight and close to water. Sebastian also worked with Sherburne Soil and Water Conservation District to design educational signage that will be installed in the park.

35MPH regulatory speed signs

Language changes made to Minnesota speed limit statutes in 2009, were brought to the Board's attention in 2023, by the Sherburne County Sheriff's Department. The language changes impact the town roads within developments, as speed limits on rural residential roads were increased from 30MPH to 35MPH. A grace period was included in MN Statute 169.14 Subd. 2, so townships could install new 35MPH regulatory signs when replacing signs which had been installed prior to the 2009 language changes.

Two requirements must be met for the 35MPH limit to be enforceable. First, the Town Board, as the local road authority, must adopt a resolution to erect regulatory speed signs in areas defined as rural residential districts, including setting the limits as 35MPH. Second, there must be regulatory signs designating the speed limit that must be erected which indicate the beginning and end of the rural residential district for the roadway on which the speed limit applies.

Both of these things must be done. Otherwise, the lowest enforceable limit on rural residential roads is 55 MPH.

The road committee has identified the roads which fit the definition of rural residential roads and had William Tessmer, the town's engineer, generate a map to show the roads identified by the road committee which fit the definition of rural residential roads. Resolution 2024-18 - A Resolution to Erect Regulatory Speed Signs in Rural Residential Districts, uses the map as its exhibit to identify the 35MPH roads.

The committee also identified 140 locations where regulatory signs need to be installed. One hundred and fifty 35MPH signs were ordered – to ensure we have spares, have been delivered, and are ready for installation.

Motion/Second to adopt Resolution 2024-18 to allow for the installation of 35 MPH regulatory signs on rural residential roads to allow for enforcement by: Hayes/Hedstrom. Approved by: Alfords, Aubol, Brenteson, Hayes, and Hedstrom. None opposed. None abstained. Motion Prevailed.

Proposed Amendment to Zoning Ord. Sec.16.2 Solar Farm Related Business – Interim Use Permit

The Planning and Zoning Department received a request from Xcel Energy, to amend Section 16.2 of the current Interim Use Permit Ordinance to include a section relating to "Solar Farm Related Business." There has been a significant increase in solar farms in Sherburne County in the last decade. This addition to the ordinance will allow a facility to support monitoring, operations, preventive maintenance, corrective or condition-based maintenance (repair), or end of performance period (decommissioning) of a solar energy system, but which does not have solar arrays. These changes will accommodate changes already approved by the Public Utility Council (PUC).

The Board was supplied the draft ordinance with the request to provide comment ahead of the Planning Advisory Commission meeting, on October 17, 2024. A public hearing for its formal review is scheduled for November 21, 2024. Following the November public hearing, staff will bring the recommendations from the Planning Advisory Commission to be heard by the County Board of Commissioners on December 17, 2024. The Town Board used the comment form provided by the Planning and Zoning Department to indicate they would like the definition of "Solar Related Business" to be included in the ordinance, as it was not provided in the draft they received. Beyond this, the Board had no concerns with the proposed amendments. They also commented there should be additional consideration for funding of the decommissioning of solar equipment to keep up with actual costs when decommissioning

occurs.

Proposed Cannabis Zoning Ord. 16.8

In 2023 and 2024 amendments to Cannabis Legislation established that the sale of cannabis products is subject to local planning and zoning restrictions and must comply with local zoning ordinances. Cannabis Legislation provides local units of government, townships, cities, and counties, certain authority to regulate cannabis businesses. To determine what the necessary zoning and registration regulations should be in Sherburne County, the County Board adopted an Interim Ordinance (moratorium) in June to allow Planning & Zoning staff time to research and draft new ordinances and procedures. The moratorium ends on January 1, 2025. At which time, an ordinance regulating cannabis businesses must be adopted. County staff is doing it's best to keep up with the ever evolving, fast changing information that is being sent to them by the State. The Town has a Joint Powers Agreement with Sherburne County Planning and Zoning Department to serve as the Town's Planning and Zoning authority. As such the Town Board has been asked to comment on the proposed Cannabis zoning ordinance which was supplied for review.

Planning and Zoning staff will provide details related to the new Cannabis Legislation and the Town Board's feedback on the appropriate zoning districts and regulations, for different types of cannabis businesses, within the county and township.

Planning and Zoning introduced the proposed ordinance to the Planning Advisory Commission on September 19, 2024. A public hearing is scheduled, for its formal review, on October 17, 2024. Zoning staff will bring the Town Board and the Planning Advisory Commission recommendations to the County Board of Commissioners on November 5, 2024.

The Town Board used the comment form provided by the Planning and Zoning Department; to indicate they affirm the County will oversee the registration and enforcement of retail establishments and the Board wishes to stay at the minimum number of statutory required establishments in Sherburne County of 1:12,500 county residents – or 9 retail businesses total.

Snow removal & ice control contracts

Road Committee members have contacted the 2023-24 snow removal vendors to see if they are interested in providing services to the township in 2024-25. The committee has proposed rates to both vendors. A \$6.00/hr increase to 2024 rates for TW Hauling and a \$5.00/hr increase to 2024 rates for JME Companies. Both are interested in a one-year contract, at the proposed rates.

The Road Committee is recommending the Board award contracts to JME of Monticello and TW Hauling and Excavating at the rates negotiated.

Motion/Second awarding a one-season contract for snow removal and ice control to TW Hauling, at the proposed rates by: Alford/Hayes. Approved by: Alford, Aubol, Brenteson, Hayes, and Hedstrom. None Opposed. Motion Prevailed.

Motion/Second awarding a one-season contract for snow removal and ice control to JME Companies, at the proposed rates by: Hedstrom/Brenteson. Approved by: Alford, Aubol, Brenteson, Hayes, and Hedstrom. None Opposed. Motion Prevailed.

Bogart, Pederson & Associates, Inc. Rates Adjustment

The Town hired Bogart, Pederson & Associates, Inc. in March 2020 and their rates have remained static since that time. The firm contacted the clerk's office on September 20, 2024, to inform the Board their rates will be increasing, effective on November 1, 2024. Treasurer Warneke reminded all that the Board does not need to request quotes for professional services.

Motion/Second to accept Bogart Peterson & Associates, Inc. rate adjustments by: Brenteson/Hayes. Approved by: Alford, Aubol, Brenteson, Hayes, and Hedstrom. None Opposed. Motion Prevailed.

Benafica Plan Open Enrollment – Administration fee increases

The Town Board determined they would like to continue to provide staff with QSEHRA benefits at the September 25, 2024, meeting. Prior to submitting re-enrollment notice, staff was contacted by Benafica, the plans administrator, with information of that administration fees will be increasing,

effective for the 2025 plan enrollment. The monthly platform fee increased \$30.00 and the monthly administration fee increased \$4.50 per enrollee. Benafica has extended the open enrollment until October 25, 2024, to allow for plan holders to meet and discuss the increases.

Motion/Second to continue participating in the QSEHRA benefit program and current plan, to be administrated by Benafica by: Aubol/Hedstrom. Approved by: Alford, Aubol, Brenteson, Hayes, and Hedstrom. None Opposed. Motion Prevailed.

Roads

Supervisor Brenteson reported the town's vendors are wrapping up summer projects and will begin installing 35MPH signs. The Clerk will prepare a paragraph about the 35MPH roads to be placed on the township's website.

Supervisor Alford noted the fall road tour is about 50% completed. The road committee has identified roads which will need overlays in 2025, areas where brushing and trimming will need to be done. One crew will be brushing and the other will be in charge of trimming overhanging trees. The committee will instruct vendors to clear the full right-of-way on the ground and vertically. This should help to keep the area clear for a longer period. But some areas will need to be trimmed annually due to narrower ROWs and types of vegetation. Fall mowing is being done. A brush-hog style machine is being used to cut vegetation in the rights-of-way, two full widths of the mower deck, to accommodate snow storage. Supervisor Hedstrom asked about the 2024 overlay project areas where the initial seeding didn't germinate well. The addresses where this happened will be noted when the tour resumes on Thursday (10/10/2024). And the reseeded will be scheduled for spring of 2025.

Business from the Board – Committee Reports/Updates

Supervisor Brenteson requested County Commissioner give the CMRP report since he was unable to attend the most recent meeting. Commissioner Danielowski said a quorum was not present at the meeting and no business was conducted. Information was given to the group on the status of the non-profit, by Flaherty & Hood. They were investigating the benefits of a 501c6 – currently being considered, versus a 501c4, which provides more flexibility. The Pell Study is working to identify possible locations for another Mississippi River crossing. The group will be hosting several information booths where community members can get information and give their feedback.

Supervisor Aubol noted he will be unavailable to attend the October 17th Planning Advisory Committee meeting. Supervisor Hedstrom is the alternate to the committee but will also be unavailable.

Treasurer's Business

Treasurer's Report

Treasurer Warneke presented the 2025 TENTATIVE tax information which was received after the electorate met and certified the 2025 Levy on September 11, 2025. He noted the county projects a an overall decrease in county tax capacity and a slight increase to the net tax capacity. He had based the 2025 levy recommendation using a 7% projection. But the county's projection is a very small increase of 0.4%. This projection is likely due to the upcoming Becker power plant closure.

Treasurer Warneke reviewed the Treasurer's Report and financial statements with the Board. He said the general fund balance is under budget by \$50,000 with the park account significantly under budget. The road fund is under budget in engineering, overlays and plowing. It is over on mowing/brushing and shouldering. The road fund is 1% over budget. The Board approved the 4th quarter budget installment to the fire department operations as part of the consent agenda and the fire fund is in budget – as expected. Accounts balances highlighted in the report included the general fund (\$331,233.83), road fund (\$1,038,615.31), and Big Lake fire fund (\$49,335.28). The town treasury ending balance (less escrows) after payment of approved claims was \$2,707,428.44 and escrow funds balance of \$158,619.63. The total town treasury balance: \$2,866,048.07.

Motion/Second to approve the Treasurer's report by: Alford/Hayes. Approved by: Aubol, Alford, 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.

Open Forum

No open forum items.

Announcements

- Absentee voting for the General Election is available at the Sherburne County Government Center in the Auditor/Treasurer's department
- BLFD Open House Saturday October 12th 11AM – 2PM
- Veteran's Dinner – Saturday October 12th 11AM – 2PM (or until food is gone)
- Sherburne County Association of Townships Meeting – Wednesday Oct. 16, 2024. Meal @ 6:00, meeting commences @7PM. Sherburne History Center, Becker.
- Next Regular Meeting Wednesday October 23, 2024 @ 6PM.

Adjournment:

Motion/Second to adjourn Regular Board Meeting at 7:07 PM by: Hayes/Brenteson. Approved by: Aubol, Alfords, Brenteson, and Hedstrom. None opposed. Motion prevailed.

Respectfully Submitted,

Brenda Kimberly-Maas, Clerk

Accepted this 23rd day of October 2024, by the Town of Big Lake Board of Supervisors.

Bruce Aubol, Chair

Attest: _____
Brenda Kimberly-Maas, Town Clerk