



WEST LAKELAND TOWNSHIP

959 Paris Avenue Circle North, West Lakeland Township Minnesota 55082
651/436-4773 · <http://www.westlakeland.govoffice2.com>

Present: Chairman Dan Kylo, Supervisor Dave Schultz, Supervisor Marian Appelt, Carrie Seifert, Clerk; Marsha Olson, Treasurer; Jenny Samec, Deputy Clerk; Mark Votava, Planning Commission Chair; Viet Hanh Winchell, Township Attorney

Call to Order

Chairman Kylo called the October 10, 2022 regular meeting to order at 7:05 PM.

Approval of the Minutes

Chairman Kylo moved to approve the minutes of September 12, 2022 with minor corrections. Seconded by Supervisor Schultz, the motion carried.

Chairman Kylo moved to approve the minutes of the special meeting held September 30, 2022. Seconded by Supervisor Appelt, the motion carried.

Treasurer's Report and Approval of the Minutes

Ms. Olson presented the treasurer's report for September 2022, reflecting \$74,762 in receipts and \$98,953 in expenses. The current balance is \$2,532,770. Chairman Kylo moved to approve the report and pay the invoices presented by the clerk. Seconded by Supervisor Appelt, the motion carried by roll call vote (3-0). The township has a CD matures this month. Chairman Kylo moved to renew the CD for a seven-month period at two percent interest with Bell Bank. Seconded by Supervisor Schultz, the motion carried by roll call vote (3-0).

Planning Commission Update

Mr. Mark Votava, chairman of the planning commission, noted from the last commission meeting a concept proposal for a solar farm on a parcel near the Lake Elmo Airport. A solar farm is currently not an allowed use in the SFE district. The requestor, Mr. Matt Wolff, would like to discuss an ordinance amendment with the board. There was no consensus of the planning commission to allow or not allow such a use. Supervisor Appelt reiterated the intent of the ordinance that the SFE zone is to have residential use as a primary use. The neighboring property owners attending the planning commission were not in support of rezoning the parcel to commercial use.

The commission was also presented with a concept proposal for storage units on Stagecoach and I-94 and a commercial lot, although substandard in size.

Planning Commission Review – Business Use Permit Application and Process

Mr. Mark Votava, chairman of the planning commission, presented the draft business use permit application, process modifications, and ordinance modifications. There are two permit types, interim use or conditional use. Chairman Kylo would like the permit applications to go before the planning commission prior to going before the board for review. The draft was returned to the planning commission for additional review.

Planning Commission Review – Revision to Section 8.9, Driveway

Chairman Kylo had concerns about the requirement for an erosion control plan for a driveway might be a bit excessive, and that controls during construction, and reestablishing the vegetation upon completion may be sufficient. It was also noted that a plan could be simple statement of actions to be taken if there are no challenges with the terrain. It was also suggested that the requirement for a culvert for every driveway may not be needed. The board's intent is to allow for exceptions on the

discretion of the building inspector and/or township engineer. The draft was returned to the planning commission for additional review.

MS4 Program Proposal from WSB Engineering

Mr. Ryan Stempiski, Township Engineer, presented the MS4 permit application as required by the State of Minnesota. There are new requirements from the MPCA under the new permit cycle with 12 months to become in compliance. The Stormwater Pollution Prevention Plan (SWPPP) can address most of these items. The proposal is to partner with WBS Engineering with broader expertise and experience with the MPCA to assist in developing the permit and meeting the MPCA requirements. The estimated fee for the work is \$5,397 for completion of the work, with billing to represent actual work hours. Chairman Kylo supported the contract, in recognition of the increasing complexity required for compliance. Chairman Kylo moved to contract with WBS Engineering to update the township SWPPP for an estimated cost of \$5,397, with additional funds to be approved. Seconded by Supervisor Schultz, the motion carried by roll call vote (3-0)

Twin Pine Fields Development and Drainage Improvements 28th Street

A preliminary plan was reviewed for Twin Pine Fields last month. The developer is going through the final requirements to move to a final plat. The plat is to be presented to Valley Branch Watershed District at the next meeting. Discussion continues on the proposed pond on the north side of the development. The pond, to meet state requirements, will need to be lined due to the geology. It will always retain water. The discharge will continue at the same rate but may happen more frequently. The proposed solution is to send the water to a controlled overflow structure and through an 18" to 24" pipe to the 28th Street right of way, rejoining the natural drainageway. This will keep the discharge from the neighboring properties. The proposal includes an estimated cost share of \$42,000 to the Township for improvements in the right of way which addresses current drainage concerns, projected for 2023. This addresses all the Valley Branch Watershed District requirements and correctly drains the area of the right of way on the south side of the road. This proposal could be added to the development agreement, with reimbursement to the developer of the Township's cost share at the completion of the project. This is similar to the cost share done for the drainage improvement at 18th Street. Should this proposal move forward, a drainage easement would be needed on the adjoining property, but the road easement would no longer be necessary. The board supported the concept but would like to see more refinement to the proposal and appetite from the Watershed District.

John Sees Estates Financial Security Reduction

The developer was required to install an infiltration basin, and that work has been completed. The request is to reduce the security held by the Township of \$32,850, leaving 25% of the initial fund remaining to remain in place for one year. Chairman Kylo moved to authorize financial reduction of \$32,850 to the developer, retaining \$10,950 as security for the John See Development for an additional year. Seconded by Supervisor Appelt, the motion carried by roll call vote (3-0).

Town Hall Renovation Project

Chairman Kylo reported on the search for an architect, there are now a couple of candidates for consideration. The renovation committee will vet out these candidates.

Road Easement Vacation, 13810 26th St N

This property is owned by Gary Horning, and he has indicated that this easement is entirely on his parcel, not split between the two parcels. Ms. Winchell has indicated that the County determines the location of the easement. This will need additional research. Mr. Horning would like to move forward with the vacation. Consideration of the vacation of the easement will be held pending additional research.

Road Maintenance Update

Patching township roads is almost complete. Reconstruction of Oakgreen Avenue is to be started 2023. Washington County has also budgeted for improvements for Manning Avenue from 10th to 40th Street in 2023. There is potentially cost share for updates on Manning Avenue to the Township. CSAH 21 will be considered for 2025. A study will be done next year on 22^d Street, funded in partnership with Washington County, to determine potential improvements.

Valley Branch Watershed 2022 draft rules and regulations has some impact on West Lakeland, including a chloride use plan. Exact impact is yet to be determined.

Washington County Administrator's Meeting

Supervisor Appelt reported on the Washington County Administrator's meeting. Washington County is putting an increased focus on emergency housing within Washington County. There was also discussion of the Watershed District approval process. Chairman Kylo noted that John Brach was reappointed to Valley Branch Watershed District. It was noted that Woodbury has an extensive approval process for THC Edibles. Other communities are not allowing the use of such products pending additional guidance from the State of Minnesota.

Town Hall Use

Supervisor Appelt has had questions on use by residents or community groups for the use by the Town Hall. Chairman Kylo believes there may be limited uses that can be supported until full renovations are complete. That may be able to be addressed and further defined by the building committee. The planning commission has a draft of possible policies which have been provided to the building committee.

Review Email Retention Policy

Currently the township uses the Minnesota Historical Society document retention standards, which does not address email communications. It is recommended that there be a policy to address email communication. Township business and official documents will be retained but there are a number of emails that may not need to be retained. Other community policies allow for elimination after a period of time based on purpose and content. The proposal suggested would allow for transitory and non-record emails, to include junk email, to be deleted. It was also suggested that the policies of Woodbury and St Paul to retain for 180 days for most items might also appropriate for West Lakeland. Chairman Kylo will gather recommendations and draft a policy for legal review.

Review Resolutions/CUPs/Agreements

The following resolutions were presented for signature after approval at the prior meeting: Resolution R-2022-15: Approving Twin Pine Fields Major Subdivision/Lot Line Adjustment Applications, approved at the previous regular meeting.

- Miller Excavating – 2022 – 2023 Snow Contract. Supervisor Schultz noted this contract has some potential increases over last year. The main pieces used to clear Township roads had much smaller

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increases. Supervisor Schultz moved to approve the contract for snowplow services from 2022-2023 Snow Contract, with the removal of text that the township will indemnify Miller Excavating. Seconded by Chairman Kylo, the motion carried by roll call vote (3-0).

- Resolution R-2022-17: Appointing Election Judges for 2022 General Election as approved at the previous regular meeting.

- Resolution R-2022-16: Joint Powers Agreement and Court Services Amendment Renewal with the BCA as a routine renewal.

New Business

Supervisor Schultz met with Washington County Emergency Management. There is a grant program available for hazard mitigation that could include a generator. Grant applications are due at the end of the week. There is a second opportunity grant for inland flooding mitigation, with a deadline of January 2023.

Ms. Samec noted the newsletter is in final press with the printer and will be posted to the website.

The clerk noted one application was received for the position of Supervisor, however the application period is still open.

Ms. Olson noted that a check for the building inspector was left out of the authorized invoices. Chairman Kylo moved to approve to authorize payment of \$30,840 to Stensland Inspection Services for building inspection services outside the meeting. Seconded by Supervisor Schultz, the motion carried by roll call vote (3-0).

Public Comment Period (3-minute limit)

Anna Rios, an applicant for the supervisor position, introduced herself to the board and expressed her interest in the position.

Mr. Del Miske noted that junk email may be kept for a short period to ensure that valid correspondence is not caught in error.

Mr. Mark Votava noted the planning commission has migrated to the official email addresses for the township. Mr. Votava noted additional planning guidance from the Metropolitan 2022 System Planning Statement. Initial review indicates little impact, but the Planning Commission will review in more depth.

Adjourn

Chairman Kylo moved to adjourn the meeting. Seconded by Supervisor Appelt, the motion carried. Chairman Kylo adjourned the meeting at 10:30 PM.

Respectfully Submitted,



Elizabeth A. Vance
Secretary



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Amendment A

At the December 12, 2022 town board meeting, a correction was made to the October 12, 2022 town board meeting minutes. Viet-Hanh Winchell was not present at the October 12, 2022 town board meeting.