

West Lakeland Township

April 9, 2018

7:00 p.m.

Oak-Land Middle School Auditorium

Present: Chairman Dan Kylo, Supervisor Steven Ebner, Supervisor Dave Schultz; Carrie Seifert, Clerk; Jennifer Samec, Deputy Clerk; Ms. Marsha Olson, Treasurer; Duane Stensland, Building Inspector; Attorney Viet-Hanh Winchell, Ryan Stempiski, Focus Engineering

Public Hearing, James Tobin, 12033 22nd St N, Lot Realignment, lot less than 2.5 acres

Chairman Kylo called the public hearing to order at 7:06 PM. Mr. Tobin detailed the request to separate .1 acre and retain the remainder as a 2.5 acre lot. The intent is to give the .1 acre to his neighbor to the west at 2500 Manning Trail in exchange for termination of the current easement. The lot will be retained in West Lakeland, but will be bound by agreement to the lot in Lake Elmo. The lot remaining with Mr. Tobin meets all ordinance requirements for lot size and setback. Supervisor Ebner reported on the planning commission review of having no issues. A realignment of lots is not feasible because the receiving lot is in Lake Elmo. An easement gave practical control over the use of this .1 acre to the neighbor to the west a number of years ago. Creating a substandard lot will replace that easement. The neighbor still has concerns about the finalization of the size of the lot. A request cannot be granted if there is not a clear definition of the parcel. It would not be feasible to build in this area because of the setback limitations, with or without a variance. There was a disagreement between the two parties if the agreement is to transfer 20 or 25 feet from the property line.

It was proposed to postpone the hearing until the May meeting to allow time for the dispute to be resolved, pending approval of extension for the review of the request.

Chairman Kylo moved to authorize a continuance and request for draft of an extension to the review of the variance request, seconded by Supervisor Ebner, the motion carried.

The public hearing was adjourned at 7:20 PM

Call to Order

Chairman Kylo called to order the regular meeting at 7:20 PM.

Treasurer's Report

Ms. Olson presented the report for March 2018. The Township recorded \$7,927 in receipts, and \$77,245 in expenses. The current assets of the Township are at \$2,330,906. Supervisor Schultz moved to approve the treasurer's report and pay the invoices presented by the clerk and treasurer. Seconded by Supervisor Ebner, the motion carried.

Approval of the Minutes

The minutes of the regular meeting for March 2018 were submitted for approval. Supervisor Ebner moved to approve the minutes. Seconded by Supervisor Schultz, the motion carried.

Supervisor Ebner moved to approve the minutes of the 2018 Organizational Meeting conducted March 27, 2018. Seconded by Supervisor Schultz, the motion carried.

The minutes of the special meetings:

- Kelli Matzek, Deputy Director of Washington County Emergency Management- January 18, 2018

- Atty Tom Casey and Hydrologist, Stuart Grubb to Discuss MAC EA/EAW – March 15, 2018

Supervisor Ebner motioned to approve all special meeting minutes, Supervisor Schultz seconded, the motion carried.

Public Comment:

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No public comment was raised.

Valley Branch Watershed District

Ms. Jill Lucas, President, and Mr. Ed Marchan, board member and treasurer, presented an overview of the Valley Branch Watershed District. There are 14 communities in the Valley Branch Watershed District. Ms. Lucas defined what a watershed district is, noting the boundaries follow the water flow patterns and cross municipality boundaries. There are 46 watersheds or water management organizations in the state. The mission of the Valley Branch Watershed District is to manage and protect water resources within the limits of the Watershed, to include lakes, ponds, streams, drainages, wetlands and ground water. The 2015 Watershed Management Plan has been completed, and overseen by the Board of Soil and Water Resources. Fixed overhead cost of the budget is 14%, working on increasing what is spent for public education. Valley Branch Watershed District has taxing authority, and uses the funds in the most prudent way possible, balancing the mandate of the organization and the tax burden.

Ms. Lucas reviewed the projects programmed by Valley Branch Watershed District. There is an effort to spread the projects across the entire watershed. Valley Branch works with a number of state, metropolitan, and local organizations to accomplish their objectives.

Ms. Lucas reviewed the PFC contamination in the region. There are a number of public meetings to review the project. There was a \$850 million restitution from 3M to the State of Minnesota, to be distributed by the Minnesota Pollution Control Agency and Minnesota Department of Natural Resources. There will be a number of working groups as a result. The first priority is safe, clean drinking water, and the second priority is ground water. Valley Branch Watershed District and South Washington County Watershed District are named as specific participants in those focus workgroups.

Ms. Lucas explained the relationship with the Washington County Soil and Conservation District and the Valley Branch Watershed District, in providing technical support, cost sharing grant programs, and education programs. Valley Branch Watershed District has citizen advisory committees and provides best management practices for water management.

Current issues are the Lake Elmo Airport EAW, and any permitting will be reviewed by Valley Branch Watershed District. Manning Avenue Reconstruction will also be reviewed by the Valley Branch Watershed District. Autumn Run was approved last fall, and is under review with the revised plat. The board is aware of the Prairie Island Indian Community property, but has no action at this time.

Burr Oaks Development

Mr. Stempski has had discussion with the developer, Mr. Joe Bush, on the remaining scope of work. The discussion was to take the original escrow detail and determine what actions are completed. He recommended that of the \$535,500 total escrow, \$292,565 be released at this time. Up to 25 percent of the escrow must be retained as part of the one year warranty after completion of the improvements. Ms. Winchell has the template for the storm water management agreement to prepare for signature. Valley Branch Watershed District shares this security, and is in support of that release. Chairman Kylo moved to dispense \$292,565 of escrow funds contingent upon the receipt of the signed storm water maintenance agreement for the Burr Oaks development. Seconded by Supervisor Schultz, the motion carried.

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Community Residence Ordinance

Chairman Kylo confirmed the public hearing of the modification of Section 11 of the Town Code relating to residential assisted living facilities scheduled for May 14, 2018. It was noted that the property which brought the requirement to the board is up for sale. After discussion with Ms. Fitzgerald, they are moving forward with installing the improvements. It is expected that the property will continue as a residential living facility. The planning commission had no further comments.

Lake Elmo Airport

Supervisor Schultz updated the board on the actions surrounding the Lake Elmo Airport improvement project. There was a public hearing on the project. The comments for the township are being finalized, with the comment period closing April 19th.

Gopher State Sealcoat Agreement

Supervisor Schultz motioned to sign contract with Gopher State in the amount of \$5,520 for crack sealing. Seconded by Chairman Kylo, the motion carried.

Additional Business

Chairman Kylo was called by Jeff Hause asking for options for maintenance of the infiltration ponds other than a homeowner's association for the development of Autumn Run II. Mr. Stempski reported on research in other communities. The typical form to do this within a development is with a Homeowner's Association. Mr. Stempski has not seen any other alternative. It is important that it be followed through with some documentation, as an MS4 community, West Lakeland must assume responsibility for maintenance, or have a vehicle to ensure and fund maintenance. Ms. Winchell noted the statutes allow the township to set up taxing districts, which are referenced in the developer's agreement. This is designed to be a backup to the HOA. Chairman Kylo will respond to Mr. Hause.

The board signed the resolution for the adoption of the draft comprehensive plan. The planning commission did not, as of this meeting, have the opportunity to review the comments from the initial review of the plan by the Met Council. Supervisor Schultz had issues with the comments regarding the airport.

Adjourn

Supervisor Kylo moved to adjourn the meeting. Seconded by Supervisor Schultz, the motion carried. Chairman Kylo adjourned the meeting at 8:49 PM

Respectfully submitted,



Elizabeth Vance
Recording Secretary