

West Lakeland Township

February 11, 2019

7:00 p.m.

Oak-Land Middle School

Present: Chairman Dan Kylo, Supervisor Steven Ebner, Supervisor Dave Schultz; Carrie Seifert, Clerk; Jennifer Samec, Deputy Clerk; Ms. Marsha Olson, Treasurer; Ms. Viet-Hanh Winchell, Township Attorney; Ryan Stempski, Township Engineer

Call to Order

Chairman Kylo called to order the regular meeting of the 7:00 PM

Presentation on Water Management

Mr. Steve Nelson, Senior Project manager at Bolton & Menk shared his expertise in the area of treatment of water contamination. Mr. Nelson testified as an expert witness for the state attorney general against 3M, in the recent legal action regarding the PFC contamination. The current process is for communities to propose actions for communities to receive funds from the state to be able to study and address a solution for the PFC contamination. He put together a direction that he believes the best option for West Lakeland to address the current PFC contamination. As part of the research done by his firm since 2011, working for the Attorney General, developed potentials to provide PFC free water to all homes.

Most of the water is drawn from the Jordan aquifer, and this is a very pure, clean water source. This is a valuable resource to the community, when compared to treated river water. In the deeper aquifers, will need to treat for more types of contaminants in the water. Options such as ion exchange will clean the water, with a contaminated by product to deal with. GAC options with filters address the issue at the point of entry. This has been the go to solution.

Using GAC, filtering at point of entry will control the contaminants within home. This is the easiest to manage and maintain at a manageable cost. It is recommended these filters be changed annually. Township data and costs were extrapolated from the available data. Mr. Nelson's estimates for each household system is \$2,150 to install the initial system, with \$750 per year to change the filter media. An estimate of the cost of the system over the 30-year life of the filter system may be \$20,000 per household. There is \$750 million from the settlement to provide for safe water to the impacted communities. West Lakeland was added later than other communities, so the representation of West Lakeland's rate of contamination is lower in this analysis than it would be today. The solutions proposed in this study were based on fewer contaminated wells with a large number of wells tested in the past couple of years also have shown contamination.

There was discussion if there were options other than the GAC point of access filters for West Lakeland Township. Realistically, the in-home unit is the most appropriate solution for West Lakeland, based on the concentration of contamination at the time of review. It depends on the extent of the contamination, the density of the lots. The discussion proposed that the level of contamination in this study was based on the ratio of contaminated wells was lower, with a larger number of wells being tested in the past couple of years.

Presentation, Washington County Reconstruction of Oakgreen Avenue

Mr. Andrew Giesen, Washington County Transportation Division presented the reconstruction project for the 3 miles of Oakgreen Avenue in West Lakeland and Baytown Township. Initial research found several deficiencies in the road design and construction. As a result, it was determined that a major reconstruction was warranted. The project management is defined in three phases: preliminary design and community engagement, design and property acquisition, and construction.

The goals being considered in the Phase I preliminary design phase include improving the ride, widen shoulders for bicycles and pedestrians and improve safety. The first open house had 32 people

West Lakeland Township

February 11, 2019

7:00 p.m.

Oak-Land Middle School

attend. The phase 2 design will have the road remain a two-lane road. Ditches will be added where they do not exist, and curb and gutter will be added where warranted. Concern was raised over too much clearing of the right of way being done leading to an increase in the speed limit. This second open house had 40 persons in attendance. The estimated cost of the project is \$10 million. Funding will be secured in 2019, with construction to begin in 2022.

Approval of Minutes

The board reviewed the minutes of the January 14, 2019 regular meeting. Supervisor Ebner moved to approve the minutes with minor corrections. Seconded by Supervisor Schultz, the motion carried.

Treasurer's Report

Ms. Olson presented the treasurer's report for January 2019. The report reflected \$ 49, 745.58 in receipts and \$32,021.72 in expenses. Current township assets are recorded as \$2,104,587.39 Supervisor Schultz asked Ms. Olsen to get some rates from the new bank in town, Bell Bank, to be brought to the annual meeting for approval. Ms. Olsen agreed. Supervisor Schultz made a motion to approve the report and pay the invoices as presented by the clerk. Seconded by Supervisor Ebner, the motion carried.

Review Resolution R-2019-3

The board reviewed resolution R-2019-3 Supporting Washington County's CR 65 Roadway Improvement Plan. Ms. Winchell raised no concerns with the resolution. Supervisor Ebner motioned to approve, Supervisor Schultz seconded. Resolution passed.

Planning Commission Update

Mr. Mark Votava provided a Planning Commission update. The 2040 Comprehensive Plan draft has been submitted to the Metropolitan Council for review. After review is complete, it will be scheduled for CDC subcommittee review. The Planning Commission has also been reviewing modification to the town ordinance about maintenance of the right of way.

Public Comment

Mr. Del Miske questioned the restriction of chickens to lot of 5 acres or greater and asked the town board to consider modification of the ordinance to allow chickens, other domestic fowl and honeybees on smaller lots. This will be reviewed by the planning commission for review and comment.

Audit Proposal

Ms. Olson stated our most recent audit was done in 2013 by Abdo, Eick & Meyers and the cost was \$10,875. She called Abdo to get an estimate for this year. They indicated it would cost no more than \$12,715. Ms. Olsen is concerned we are getting late in scheduling an audit for the coming year. The audit must be completed by June 30th. Ms. Olsen reported Abdo did a professional job for us previously. Supervisor Ebner motioned hiring Abdo, Supervisor Schultz seconded. Motion passed.

Short-Term Rental

Chairman Kyllö introduced the possibility of implementing an ordinance prohibiting short-term home rental. This issue has been brought to the attention of the board due to a legal case involving WLT resident Karl Auleciems who has been regularly renting his residence on weekends. The neighbors have found the events to be extremely disruptive. Our ordinance does deal with the issue but it's becoming

West Lakeland Township

February 11, 2019

7:00 p.m.

Oak-Land Middle School

more popular with the online reservation system. Any changes suggested would not affect the ongoing litigation with Mr. Auleciems. Supervisor Ebner suggested looking at the ordinances and enforcement of other communities. Chairman Kylo suggested the Planning Commission put the topic on their next agenda.

Tennis Sanitation Contract

The Tennis Sanitation contract terminated at the end of 2017 but is extended through December 2019. Clerk Seifert called Tennis and asked for a verbal estimate of their future costs. Tennis reported they would go no more than \$3.25 per household. Supervisor Ebner estimated the total cost per year would be nearly \$52,000 based on our current population. Clerk Seifert mentioned that Washington County recommends locking in for a 3 year contract. Supervisor Ebner asked Clerk Seifert to get an official quote from Tennis in writing by next meeting.

Malley's Sunshine Kennels 2019 Contract

Their fees will increase from \$95 to \$100 for surrender fee; \$101 to \$112 (females) and \$85 to \$95 (males) for alteration fee added to the surrender fee. Our township attorney was consulted for her opinion. Ms. Winchel's only concern is the surrender fee gets put back on the township. Clerk Seifert stated that our township has not been charged surrender fees in 2018. Chairman Kylo motioned to approve the 2019 contract, Supervisor Ebner seconded. Motion was approved.

Old/New Business

Clerk Seifert reported our Animal Control contractor has increased her fee from \$85 to \$95 for 2019. Supervisor Schultz motioned we amend our fee schedule based on this increase. Chairman Kylo seconded. Motion approved.

The 3M settlement group meets while Supervisor Ebner is out of town on 2/20/19.

Supervisor Schultz reported this week MET Council is most likely going to approve the MAC's CIP Plan for the Lake Elmo Airport Expansion. It remains to be seen how they will get funding without zoning. Supervisor Schultz believes issues involving inverse condemnation must be considered. Another problematic issue he sees is that Zone B extends over the Baytown Community Center which is not an allowed use.

Mr. Stempski, township engineer, offered to assist in the PFC treatment issue. He suggested there might be some unique solutions specific to West Lakeland, such as connection to Lake Elmo's water supply. Supervisor Ebner noted the water treatment committee will be doing a comparative analysis of public water vs. private wells to provide information to communities to help them consider options in the future. Chairman Kylo's concern is whether there will be enough money to cover GAC systems for our community over an extended period of time, or if this becomes a township expense over time. Chairman Kylo suggested they agree on a plan for option analysis at the next board meeting so they can take advantage of the seed money being offered to each affected community this year.

Next Meeting

The regular March 2019 meeting will be held Monday, March 4 at 7 PM. The meeting is being rescheduled to allow for the Annual Town Meeting on March 12, 2019 at 8 PM

Adjourn

Supervisor Ebner motioned to adjourn the meeting, Supervisor Schultz seconded, the motioned carried. Chairman Kylo adjourned the meeting at 9:31 PM.

West Lakeland Township

February 11, 2019

7:00 p.m.

Oak-Land Middle School

Respectfully Submitted,

A handwritten signature in black ink that reads "Elizabeth A. Vance". The signature is written in a cursive style and is positioned above the printed name.

Elizabeth A. Vance
Secretary