

WEST LAKELAND TOWNSHIP

January 9, 2017

7:00 p.m.

Oak-Land Jr. High

Present: Chairman Dan Kylo, Supervisor Steven Ebner, Supervisor Dave Schultz; Carrie Seifert, Clerk; Mr. Scott McDonald, Township Attorney; Ms. Marsha Olson, Treasurer; Mr. Dave Dupay, Planning Commission Chair; Duane Stensland, Building Inspector

Call to Order

Chairman Kylo called to order the regular meeting of the West Lakeland Board of Supervisors at 7:05 PM.

Approval of the Minutes

Supervisor Ebner moved to approve the closed meeting minutes and special meeting minutes. Seconded by Supervisor Schultz, the motion carried.

Supervisor Ebner moved to approve the minutes of the December 2016 regular meeting. Seconded by Supervisor Schultz, the motion carried.

Treasurer's Report

Ms. Olson presented the treasurer's report for December 2016, reflecting \$263,132 in receipts and \$70,525 in expenses. Supervisor Ebner moved to approve the treasurer's report and approve payment of the invoices presented by the clerk. Seconded by Supervisor Schultz, the motion carried.

Public Comment

Mr. Vince Anderson suggested a new hearing may be in order for the revision of Section 9 of the town code. He understood the version presented for public review was different than that reviewed by the board. Supervisor Ebner did not support that contention. The clerk will investigate.

Preliminary Plat for Stensland Woods

Mr. Isaac Stensland presented preliminary plans for the development Stensland Woods on 9 acres off 8th Street North. The development includes a road access from the existing cul de sac, with the understanding that 8th Street will eventually continue onto future development on the Tiller property. Soil tests have been approved, and the WSC WMO is scheduled to review on January 19th. The three lots defined on the development are within the township development ordinances. A grading easement is under discussion with Tiller Corporation to the west.

Supervisor Ebner noted the plans did not include the dimensions for frontage, lot sizes and setbacks. Mr. Dupay noted that the documentation included documents referencing a previous proposed development for the site, and should be updated to reflect this development proposal. A question was raised on the infiltration basin off the cul de sac and the flow of the water should the runoff exceed the capacity of the basin.

The request was referred to the planning commission for review. The application, however, was determined to not be completed because of the missing information on the development plan. Mr. Stensland was asked to submit a request for an extension to allow for time to review once the additional information was received. Mr. Stensland agreed to the request.

WEST LAKELAND TOWNSHIP

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Oak-Land Jr. High

Options in Lieu of Clean Up Day

Ms. Karen Richtman, recycling consultant, appeared before the board to review options which may be considered in lieu of clean up day. It was noted that last year, West Lakeland spent \$12,000 for disposal, collecting 42 tons of garbage. This is in line with other communities who hosted a similar event. A significant share of the cost is the environmental charges.

One option is to have more education and remove the clean up day all or in part. A number of sites exist where larger items can be taken for recovery or disposal for free or a nominal fee. A number of items can be dropped off at Washington County Environmental Center. Ms. Richtman encouraged using education to increase awareness of these options.

One option if a clean up event is still desired, is to have a fee to cover the costs of disposal, and reflect the costs of the hauler to remove the larger items. There are also a number of recyclers who can be contacted to participate in the collection event to reduce fees, such as a scrap metal recyclers or the mosquito control district to collect tires.

A second option is a disposal guide provided to the residents. This would encourage residents that produce the garbage to coordinate for appropriate disposal. Most haulers will take these same items with an additional fee.

A third option is an organized collection coordinated with the hauler. This is done in Woodbury and Denmark Township.

Supervisor Ebner suggested combining the options, and include the disposal guide and offer a selected collection for items that could be reclaimed, eliminating the collection of just garbage. This would require coordination with additional reclamation firms. Chairman Kylo supported the idea of the disposal guide.

Supervisor Ebner and Ms. Seifert will work with Ms. Richtman on developing the plans for the guide and a modified collection event for review at the next meeting, and provide the structure for 2017 grant programs.

West Lakeland Comprehensive Plan

Mr. Dupay has been in contact with the Met Council, and staff has agreed to meet with the board and planning commission. At that point, when the requirements are better understood, it can be determined how best approach the task of updating the plan.

Mr. Dupay noted he has been continuing to work with the mapping program, and expects to have information to share shortly.

Proposed Resolution to Uphold West Lakeland Comprehensive Plan

The discussion of a resolution specifically upholding the West Lakeland Comprehensive Plan with regard to use of public sewer was tabled at the last meeting, pending additional clarification of the role of the Met Council. Information provided by Mr. Devine noted that a plan amendment would be required to extend the MUSA line into West Lakeland, and could be provided through a joint powers agreement between West Lakeland and Lake Elmo. Chairman Kylo noted that this information did not address the fundamental question of the role of the Met Council in relation to the land purchased by the PIIC, should it go into federal trust. The fact that providing septic to land under the jurisdiction of West Lakeland would require a change to the Comprehensive Plan has never been in dispute. Once the land is in Federal Trust, it is not in West Lakeland's jurisdiction.

WEST LAKELAND TOWNSHIP

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The board clarified the understanding on their position on providing public septic or water in the future. The board is not in favor of the extension, but does not want to specifically state that it will never be considered. Circumstances might develop in the future that would make such a move beneficial to the township. The underlying rules, the current Comprehensive Plan and Township Ordinances do not allow the use at the current time. It was further noted that the draft application from the PIIC does not indicate any use contrary to the current land zoning, and there has been no discussion of additional public services with the PIIC. The Lake Elmo City Councilwoman Ann Smith also indicated to Chairman Kylo that Lake Elmo has also had no such discussion.

The board discussed the role of the Metropolitan Council with regard to Fee for Trust land. Supervisor Ebner moved to request Chairman Kylo to contact Mr. Quigley to investigate the legal status of the Metropolitan Council, West Lakeland, and its role with regard to the Metropolitan Disposal Service (MUSA) and regard to Fee for Trust Land. Seconded by Chairman Kylo, the motion carried.

A suggestion was made that the township hire Mr. Devine to represent the township with this issue. The board raised concern over conflict of interest, as Mr. Devine is already representing a portion of the township privately in this concern. Chairman Kylo concurred that the board is not in support of high intensity land use. Any requests for such use will be addressed as they arise.

Ordinance Update

Supervisor Ebner noted that it has been over three years since the last recodification of the township ordinances. There have been a number of changes since that time that need to be brought into the body of the text. There are also some minor changes pending approval. Additional criminal penalties have been added, as suggested by the review done for compliance with Washington County enforcement policies, changes in jurisdictions due to the change in the land planning role of Washington County, and some land use performance standards. It was suggested the changes would require a public hearing. The review of the list of potential uses to be addressed in the ordinance, because they are addressed by Washington County or neighboring communities was referred to the planning commission for review.

Additional Business

Supervisor Ebner moved to authorize an expenditure of \$250 for a license for Microsoft Office for the deputy clerk. Seconded by Chairman Kylo, the motion carried

Adjourn

Having no further business, Supervisor Ebner moved to adjourn the meeting. Seconded by Supervisor Schultz, the motion carried. Chairman Kylo adjourned the meeting at 10:02 PM.

Respectfully submitted,



Elizabeth Vance
Recording Secretary