

**MINUTES  
EXECUTIVE MEETING  
JANUARY 25, 2019**

The meeting was called to order at 11:00 a.m.

Present: Supervisors: Prudhon, Ruzek, McCune; Clerk: Christopherson; Attorney: Lemmons; Finance Officer: Kelly; Public Works Director: Reed; Planner: Riedesel; Engineers: Studenski and Poppler; Others Present: Blake Huffman, Ramsey County Commissioner; Dennis Seidl.

**APPROVAL OF AGENDA (Additions/Deletions):** Ruzek moved approval of the agenda with the following amendment: Add 19A) Reschedule March Executive Meeting Date. McCune Seconded. Ayes all.

**APPROVAL OF DECEMBER 28, 2018 MINUTES (Additions/Deletions):** Ruzek moved approval of the December 28, 2018 Meeting Minutes with minor correction. Ayes: Ruzek and Prudhon. Abstain: McCune.

**BLAKE HUFFMAN, RAMSEY COUNTY COMMISSIONER – PRESENTATION:**

**Sports Facility:** Blake Huffman, Ramsey County Commissioner reported that a Commissioner Meeting on Tuesday the Vadnais Sports Center was discussed. The roof will be replaced. There will be 1.2 soccer fields. One will be smaller and still in design stage. It will cost approximately \$3 million to rebuild the facility. They will look to the community for funding support and to clarify the policy for a funding mechanism. He stated that there are twenty different groups that use the facilities as well as a softball league that plays on Tuesday mornings. User groups are being contacted for input and support. The Planner reported that Town staff had a meeting recently with the Soccer Association and their financial backer on site at Polar Lakes Park. They may be interested in having a domed soccer field. It has not been determined if the Town is interested or set up for this. Commissioner Huffman stated that the shrinkage of the sports facility may provide sufficient parking spaces needed. Ultimately with the Rush Line Corridor there will be a two story parking structure which could provide parking. Currently 300 parking spaces are available. On a hockey night it is packed. He stated that they are looking to find a business in Town to buy the naming rights. **TICAPP (Arsenal Property):** The County and City are working on about ten issues. The property is totally cleaned up and the County has been considering options. They re-confirmed at the County level that their strategy is to let things cool off for a few months.

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The County is trying to get traction with the City. Relative to roads, Highway 96 over 35 is done and County H2 intersection is done. Inside the property there are many roads proposed. **Rush Line Corridor:** The BRT is preferred with busses having some rights-of-way. It is in a phase process now and construction will begin in 2021. Funding does not go through the State so the County is teaming up with Washington County. **Redevelopment:** The County is looking for ways to work with the Township and cities on redevelopment and where the County can partner with the cities and the Township to help keep business and help to attract businesses. He reported that if the Town has land that is polluted the County will help pay to clean it up so a business can be put there. The County has a Work Force Solution Center that does training. If there is a company that wants to come here the County wants to partner with the Town and cities to strengthen their communities by providing work force support He stated that the Town should always reach out in any instance since the County has more staff and resources available. **Yard Waste Sites:** The sites are still open. **Recycling:** Businesses are mandated to recycle but they are not. The County will provide up to a \$10,000 grant to buy containers and train employees to get them to start to recycle. **New County Commissioner:** The County has a new Commissioner, Dennis Whitman. **Bald Eagle:** Commissioner Huffman receives a lot of phone calls regarding Bald Eagle and the proposed one way. He asked if the Town has a position. Prudhon stated that a proposal has been submitted for a "county parkway". If it is a Ramsey County parkway the County will retain ownership of the road. With a one way the lanes will be narrower and there would be a bike path. A one way trial for this summer was proposed. The feasibility of the proposal will be discussed with Ramsey County. **Lake Links Trail:** The County supports and actively participates in the process.

**DNR GROUNDWATER MANAGEMENT – UPDATE:** The Town Attorney stated that there was an Appeals Court hearing yesterday. Minnesota Statute 703, Section 10 deals with permits and state guidelines issues. All the court can do is to have the petitioner research old permits. The Court cannot tell the DNR what to do. The DNR has certain goals. One is to research all well permits. The Appellate Court has 90 days from yesterday to respond. A different methodology should have been used. The Minnesota Environmental Rights Act has two different avenues, Section 03 deals with everything, and Section 10 deals with permits and other governmental issues. Permits issued to municipalities would have been governed by Section 10. He explained that In the meantime all actions are stayed until that response is received. The State says that the action does not belong under Section 03, but under Section 10. The importance with Section 10 is that all the Court can do is to return the permits to the agency, the DNR, to reconsider all the permits. It is up to the DNR to make the decision. That is already going on since the DNR has followed the court action. The Administrative Court has all agreed to stay the Appellate Court orders. The DNR can reverse permits on its own and there will still be ongoing operations by the DNR.

**WATER METERS – UPDATE:** Core & Main attorneys are still reviewing the Settlement Agreement. The dollar amount does not seem to be an issue. It was the consensus that the Town Attorney intervene.

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Ruzek moved to authorize the Town Attorney to contact the attorneys for Core & Main regarding the Settlement Agreement. McCune seconded. Ayes all.

**I & I – UPDATE:** Joint sealing projects are finishing up. The specs for joint sealing will be changed to better conform with the process. Joints will be pressure tested.

**PAVEMENT MANAGEMENT PROGRAM – UPDATE:** Larry Poppler provided a handout. It was noted that more detail is needed on how to approach the projects. The matter of assessment was discussed. The Town Attorney stated that under MN Statute, an assessment must show benefit to the affected property owners. Larry will provide an overview of the pavement management program at the Annual Meeting. He will have more information at the February Executive Meeting.

Larry Poppler, TKDA stated that the Pavement Management Program will continue to be on the Executive Meeting agenda in the future.

**TRAILS – UPDATE: 1) BALD EAGLE LAKE COUNTY PARKWAY:** There was discussion regarding a proposal for a county parkway on West and East Bald Eagle Boulevards. It was the consensus that since this is a county road that the Ramsey County Engineer review the option for a one way and potential parkway. Joe Lux, Ramsey County Engineer will be invited to provide Ramsey County's perspective at an Executive Meeting.

**STABLE OF WHITE BEAR TOWNSHIP:** The Planning Commission reviewed the sketch plan for 8 single family homes on the property at 5685 Portland Avenue. An open house was held on January 9, 2019 for neighbors of the proposed development. Approximately 20 people attended the meeting and the feedback was good. The neighbors are excited about the trail which will be part of the project. However, they prefer a paved trail with a boardwalk over the wetland and would like the trail as far away from the homes as possible. It was noted that the corrections crew could install the boardwalk. The estimate for engineering services provided by Plowe Engineer in July, 2017 was reviewed. It was the consensus that the scope of work estimated to cost \$12,500.00 be pursued. The scope of work includes: 1) site visit; 2) gather existing site information from owner, surveyor and Town; 3) meetings and communications with Town and design team; 4) site development plan (sketch plan provided by others); 5) grading, drainage and erosion control plan and details; 6) utility plan for sanitary sewer, storm sewer and water service and details; 7) drainage calculations; 8) storm water management plans; 9) rough earthwork calculations; 10) SWPPP (storm water pollutions prevention plan); 11) construction plans and specifications for streets and utilities; 12) plan and document changes per agency review comments.

Ruzek moved to place on the agenda for a Town Board Meeting to pursue the trail on Deer Meadow property utilizing the corrections crew for late March. McCune seconded. Ayes all.

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**DENNIS SEIDL – ON-GOING ODOR ISSUES:** Dennis Seidl reported that they have noticed sewer gas smells since 2007. They vented the house themselves but the odors continued. Public Works cleaned out the 21” sewer pipe on Centerville Road. Every three or four months, especially in the winter the smells are strongest. In the past Public Works would come and flush the pipe. In 2008 - 2010 engineering came out. A smoke test was done. The test showed that the problem was with the house. This year he put in another vent. The problem is that the gas comes into the house. It is coming from outside and is worse in the winter. He feels that the 21” sewer pipe is oversized and may be the cause of the problem. He stated that a neighbor has the same problem with the odor. The Engineer stated that they will have a contractor clean and TV the pipe to identify a problem, if it exists. The Code Enforcement Officer and Public Works Director will discuss the situation with a company that does the smoke test. Dennis Seidl will be informed of the results of the test.

**COAL TAR/PAH’S – DISCUSSION:** An article in the White Bear Press regarding the lawsuit blaming coal tar refiners for contaminating storm water ponds was reviewed. The City of White Bear Lake has joined six others in the lawsuit filed on December 28, 2018. The federal lawsuit claims seven refiners of coal tar contaminated ponds with toxic chemicals called polycyclic aromatic hydrocarbons (PAH’s). The PAHs are found in coal tar sealants, used throughout the region on driveways and parking lots until the state banned sale of the hazardous material in 2013. White Bear Lake was the first city in Minnesota and the fourth in the country to prohibit use of coal tar based sealcoats in 2010 after PAHs, known to cause cancer, were found in storm water retention pond sediment. The chemical compounds form when coal is incompletely burned. Because PAHs do not break down easily the compounds stay in the environment for a long time. The Public Works Director stated that public works will test all ponds before cleaning. The Town Attorney will contact the White Bear Lake City Attorney to learn more.

**UTILITY PROGRAM COORDINATOR JOB DESCRIPTION:** The Utility Program Coordinator Position Description was reviewed. It was the consensus to table the matter until the next Executive Meeting.

**SPECIAL ASSESSMENT POLICY – REVIEW:** The Special Assessment Policy for Street Improvements was provided for review. The Town Attorney and Clerk prepared the policy in the past to legally assess properties. The policy was reviewed with the Town Engineer earlier in the meeting under agenda item #7.

**CODE ENFORCEMENT OFFICER – DISCUSSION:** It was noted the Judge Marrinan had asked what the Town does regarding enforcement of water use. It was noted that a compliance officer is needed to enforce residential lawn sprinkling. A suggestion was made that the Ramsey County Sheriff’s Office Community Service Officers may be a resource for both sprinkling enforcement and winter parking issues. The Code Enforcement Officer stated that he could use support in the area of water enforcement.

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A computer program to monitor enforcement would make the Town more efficient, however it takes staff to run the program and keep the data current.

**ANNUAL MEETING PRELIMINARY LEVY:** The Finance Officer reviewed the proposed preliminary levy of \$4,300,621 for 2020. This is compared to \$3,868,742 in 2019. This would be an 11.16% increase from the 2019 preliminary levy presented last year and it would be a 26.375% increase over the final 2019 property tax levy. This levy was the result of the following changes from the 2019 budget: 1) wages for staff were increased 2.0% on January 1<sup>st</sup> and 1% July 1<sup>st</sup> per the union contract; 2) a new staff position of Communications Specialist was incorporated into the 2020 budget with 80% of the position funded from the General Fund; 3) summer help for public works was increased to \$50,000.00 from \$36,000.00; 4) health insurance benefit was increased 15%; 5) increased employer contribution to PERA from 7.5% to 8.0% of employees' wages. (These first five items increases personnel services 11.71% or \$154,570 from the 2019 final budget). 6) Sheriff contract estimated to increase 10.0% from 2019 final budget; 7) Fire contract with the City of White Bear Lake increased 17.06% to \$350,000.00; 8) amount levied for seal coat project increased \$31,000.00 to \$112,500 for a project estimated to cost \$150,000.00. In 2014 only \$45,000 of the \$150,000.00 total project costs were levied. For 2015, the project was estimated at \$100,000.00 with \$54,000 levied. The 2016 project was estimated at \$110,000.00 with \$58,000.00 levied and in 2017, the project was estimated at \$135,000.00 with \$71,000.00 being levied and in 2018, \$79,000.00 was budgeted for a project estimated to cost \$150,000.00 and in 2019, the project was estimated at \$150,000.00, with \$81,500 being levied; 9) the equipment rental fee, which funds Town equipment replacement funding, is around 60%. This results in an increase of \$185,250 over the 2019 budget; 10) 2020 budget includes \$85,000 for sign replacement for reflectivity standards and \$35,000 for EAB activities. This compares to \$28,000 each in 2019; 11) Park improvements increased \$75,000.00 to \$275,000.00 based on future improvements listed in the 2019-2028 CIP; 12) Park budget also increased for Township Day expenditures. This activity was increased \$4,750 in expenditures for a total budget of \$41,500; 13) the big change on the revenue side is the rental and animal licenses, which are two year licenses renewed in even years resulting in an increase of \$24,700; 14) facility rental or antenna lease revenues was reduced to \$175,000.00 from \$232,790 so that the Town becomes less dependent on this revenue source in case towers are eliminated by small cell systems or company mergers.

Other projections for the 2020 preliminary levy include estimated fiscal disparities of \$275,000, which is a decrease from the 2019 amount. Since tax capacities and market value data is not available for 2020, if you use the 2019 tax capacity of \$14,408,143, the Town's tax rate would increase to 27.940% compared to a preliminary rate of 26.268% and a final tax rate of 21.681%. It was the consensus that the report is comprehensive.

**GEM LAKE PARTNERSHIP – DISCUSSION:** The Town's partnership with Gem Lake was reviewed. The Joint Powers Agreement with Gem Lake was dated 2007. It was the consensus that the Town could better utilize time spent or receive more for the services

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provided. The Finance Officer provided a spread sheet identifying hours spent by the Building Inspector; Secretary/Receptionist; Finance Officer; Finance Analyst Accounting Clerk; Accounting Clerk/Receptionist; Para Legal/Administrative Assistant; Planner; Public Works Director; Clerk Treasurer; Public Works Field Maintenance Supervisor; Public Works Lead Worker; Public Works Summer Help; Public Works Maintenance Worker; Public Works Maintenance Worker – OT. Revenue received for Town services was also reviewed. The Town Attorney will talk with Pat Kelly and report back.

**PUBLIC WORKS DIRECTOR REPORT:** The Public Works Director reviewed Public Works Department activity for the month of January 2019. **Lift Station Upgrades:** Lametti & Sons have completed the replacement of the control panel, pumps, rails, etc. for Lift Station #10. The concrete driveway and related restoration work will be completed in the early summer of 2019. TKDA has been authorized to prepare plans and specifications for Lift Station #9. This is the last station rehabilitation until the next major rehabilitation cycle for lift stations that would begin in approximately 2036. **Water Meter Repair/Reading:** The water meter issue was handled as a separate agenda item. **Commercial Meter Testing:** A percentage of commercial meters will be tested for accuracy each year going forward. **2018-2027 Capital Equipment /Capital Improvement Programs:** The GIS/Asset Management Project will be renewed with assistance from Larry Poppler, TKDA. **Water System Improvements/Issues:** The Town Engineer is going to provide an agreement for Town Board approval regarding replacement or lining of watermain between Taylor Avenue and Gaston Avenue on Hugo Road. There have been 8+ watermain breaks between Taylor Avenue and Gaston Avenue over the last 30 years. No others north or south of this area. The watermain is a 12" line. One home would be without water. Water can be temporarily provided from a hydrant on Taylor Avenue while the work is being completed for the resident at 5475 Hugo Road. **Sanitary Sewer System Improvement/Issues:** The liner for the gravity line west of Lift Station #3 has been installed. **Ordinance No. 27 – Relating to Plant Pests and Providing for the Control and Abatement Thereof and Repealing Ordinance No. 25:** A draft of Ordinance No. 27 was provided for review. The Board members will look over the Ordinance and provide feedback to the Public Works Director at the next Executive Meeting. **Emerald Ash Borer Management Plan:** The Plan was updated January 3, 2019. The Plan includes an introduction to what Emerald Ash Borer is; the Plan purpose; Administration of the Plan; Communications; Ordinance changes; Inventory Collection; Treatment Options; Public Trees; Private Trees; and Tree Replacements. Feedback is welcome.

**MIKE GAGAN – WHITE BEAR DENTAL CLINIC:** Mr. Gagan chose to re-schedule.

**CLERK-TREASURER REPORT: 1) STRATEGIC PLANNING PROCESS; HR PROCESS:** **Strategic Planning:** Barb Strandell has been contacted regarding providing guidance in the strategic planning process. Barb is available March 12<sup>th</sup>. After that session guidelines for the future of the Township will be prepared. **HR Process:** The Employer's Management Association offers membership for \$1,100 for all services.

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The will have a HR professional on site and will review job descriptions and wage scales. The Clerk suggested having a trial with them to assist the Town in HR matters.

**MARCH EXECUTIVE MEETING DATE – RESCHEDULE:** Due to Supervisor conflict it was the consensus that the March Executive Meeting date be rescheduled from March 22<sup>nd</sup> to Friday, March 29, 2019. The matter will be placed on the Consent Agenda for February 4, 2019 Town Board Meeting for approval.

**OPEN TIME:** No one appeared for the open portion of the meeting.

**RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS:** McCune moved to receive all of the agenda materials and supplements for today’s meeting. Ruzek seconded. Ayes all.

Ruzek moved to adjourn the meeting at 3:18 p.m. McCune seconded. Ayes all.

Respectfully Submitted,

Patrick Christopherson  
Clerk-Treasurer