

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Petition for
the Incorporation of Baldwin Township
(MBAU Docket I-75)

EXHIBIT LIST

1. Engineering Report for Incorporation of Baldwin Township
2. Appraisal Report, February 29, 2024
3. Analysis of Financial Implications for Incorporation of Baldwin Township
4. Planning Report for Incorporation of Baldwin Township
5. Baldwin Township Town Board Organization
6. Baldwin Township Resolution Adopting Urban Powers
7. Baldwin Township 2023, 2024 and 2025 Budgets
8. Baldwin Township 2022 Audited Financial Statements
9. Baldwin Township Investment Policy
10. Baldwin Township 2024-2031 Capital Improvement Plan
11. Aerial Photograph of Business District in Baldwin Township
12. Incorporation Petition of Baldwin Township, December 4, 2023
13. Amended Incorporation Petition of Baldwin Township
14. Resolutions Supporting Incorporation of Baldwin Township
15. Baldwin Township 2023 Annual Meeting Agenda
16. Memorandum of Understanding Between Sherburne County and Baldwin Township regarding Zoning Administration
17. Baldwin Township Resolution 14-15 Accepting Recommendation of Baldwin Planning Commission and Adopting Baldwin Township Community Comprehensive Plan
18. Baldwin Township/Blue Hill Township 2024 Fire Contract
19. Sherburne County Mutual Fire Aid Agreement
20. Baldwin Fire Department Truck Inventory
21. Baldwin Fire Department Personnel
22. December, 2023 Princeton Firefighter Vote of No Confidence Letter
23. December 27, 2023 Princeton Firefighter response to City Administrator
24. January 18, 2024 Princeton Firefighter resignation letter to City Council
25. City of Princeton invoice to resident for Fire Department emergency response
26. City of Princeton 2024 Fee Schedule

27. Map of Baldwin Township 10 acres or less lots
28. City of Princeton Comprehensive Plan Sanitary Sewer System, December 17, 2020
29. City of Princeton Building Permits Issued 2008-2023
30. Baldwin Township Zoning Map
31. Baldwin Township Ordinance No. 100 - Regulating Rights-Of-Way
32. Baldwin Township Ordinance No. 100-2 - Amending the Road Right-of-Way Ordinance
33. Baldwin Township Ordinance No. 110 - Parking Ordinance
34. Baldwin Township Ordinance No. 200 - Establishing a Planning Commission
35. Baldwin Township Ordinance No. 200 - Revised Establishing a Planning Commission
36. Baldwin Township Ordinance No. 201 - Amending Section 2 of Establishing a Planning Commission
37. Baldwin Township Ordinance No. 300 - Emergency Address Identification
38. Baldwin Township Ordinance No. 301 Revised Emergency Address Identification
39. Baldwin Township Ordinance No. 400 - Animal Control
40. Baldwin Township Ordinance No. 400-1 Amending the Animal Control Ordinance
41. Baldwin Township Ordinance No. 500 - Amending Ordinance No. 100 Use of Rights-Of-Way by Utility Providers
42. Baldwin Township Ordinance No. 600 - Adopting a Fee Schedule
43. Baldwin Township Ordinance No. 600 - Revised Fee Schedule
44. Baldwin Township Ordinance No. 600-1 Amending Ordinance No. 600 Fee Schedule for the Town
45. Baldwin Township Ordinance No. 600-2 Revised Fee Schedule
46. Baldwin Township Ordinance No. 700 - Governing the Frontier Trails Subordinate Service District Waste Water Treatment and Collection System
47. Baldwin Township Ordinance No. 700-01 - Amendment to Ordinance No. 700
48. Baldwin Township Ordinance No. 700-02 - Amendment to Ordinances No. 700 and 700-01
49. Baldwin Township Ordinance No. 800 - Establishing Charges for Emergency Response Services
50. Baldwin Township Ordinance No. 800-01 - Amendment to Ordinance No. 800
51. Baldwin Township Ordinance No. 900 Adopting the Baldwin Township Zoning Ordinance
52. Baldwin Township Ordinance No. 900-1 Amending the Baldwin Township Zoning Ordinance Regarding Performance Standards
53. Baldwin Township Ordinance No. 900-2 Amending the Zoning Ordinance Regarding Animals

54. Baldwin Township Ordinance No. 910 Adopting the Baldwin Township Subdivision Ordinance
55. Baldwin Township Ordinance No. 920 Adopting the Baldwin Township Building Ordinance
56. Baldwin Township Ordinance No. 930 Amending Baldwin Township Fee Schedule
57. Baldwin Township Ordinance No. 930-1 Amending Baldwin Townships Fee Schedule
58. Baldwin Township Ordinance No. 2005-03 - Interim Subdivision
59. Baldwin Township Comprehensive Plan
60. Baldwin Township Parking Ordinance 2000
61. Baldwin Township Parking Ordinance 2003-01
62. Baldwin Township Parking Ordinance Number One
63. City of Princeton Zoning Map 2024

EXHIBIT 31

BALDWIN TOWN SHERBURNE COUNTY, MINNESOTA

ORDINANCE NO. 100

AN ORDINANCE REGULATING TOWN ROAD RIGHTS-OF-WAY

The Board of Supervisors of the Town of Baldwin hereby ordains:

ARTICLE I ADMINISTRATION

Section 1.00. Purpose, Authority and Scope.

1. **Purpose.** The primary objectives of this Article are to protect public safety, reduce interferences with public travel, protect the public's interest in its rights-of-way, and to provide for the efficient and uniform administration of the Town's road rights-of-way. The Town Board finds that the regulations, requirements, and restrictions, as set forth in this Article, are in the best interests of the health, safety, and welfare of the Town's citizens.
2. **Authority.** As a road authority, the Town Board has broad authority to regulate what occurs within the town's road rights-of-way. This authority is found in a variety of sections in chapters 160, 164, 165, 169, 222, 237, 609, and other chapters, as well as the rules associated with those chapters.
3. **Delegation of Authority.** This Article shall be administered and enforced by the Town Board. The Town Board may delegate to individuals the authority to administer and enforce this Article, or aspects thereof, on behalf of the Town. Such designees shall have full authority to carry out the duties delegated to them as well as such related powers and duties reasonably necessary to fully execute those delegated duties.
4. **Scope.** This Article applies to all Town road rights-of-way, including those dedicated to the public by plat, within the Town. The Town may, with respect to cartways, platted roads, and other dedicated roads that are not maintained by the Town, enforce this Ordinance to the extent the Town Board determines is necessary to preserve or protect its interests. However, any action taken by the Town on such roads shall not constitute its acceptance of the cartway or road for maintenance purposes. This Article does not apply to or otherwise regulate rights-of-way under the jurisdiction of another road authority.

Section 1.01. Definitions.

For the purposes of this Article, the following terms shall have the meaning given them in this section.

1. **Abandoned vehicle.** "Abandoned vehicle" means a motor vehicle, as defined in Minnesota Statutes, section 169.011, subdivision 42, located within a right-of-way that

lacks vital component parts or is in an inoperable condition such that it has no substantial potential for further use consistent with its usual functions.

2. **Approach.** "Approach" means the area of the right-of-way between the traveled surface of the road and the adjacent property that is intended to provide access for vehicles or equipment from the road to the adjacent property.
3. **Headwall.** "Headwall" means rock, concrete, masonry, metal, timber or other similar materials placed on the sides of an approach as support, to prevent erosion, or for decorative purposes.
4. **Junk.** "Junk" means old or scrap hazard signs, copper, brass, rope, rags, batteries, paper, synthetic or organic, trash, garbage, waste materials, rubbish, rubber debris, appliances, waste, or junked, dismantled, or wrecked automobiles or farm or construction machinery or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.
5. **Motor Vehicle or Vehicle.** "Motor vehicle" or "vehicle" has the meaning given motor vehicle in Minnesota Statutes, section 169.011, subdivision 42.
6. **Obstruct.** "Obstruct" means to place any tangible object in a right-of-way so as to hinder free and open passage over that or any part of the right-of-way.
7. **Parking enforcement officer.** "Parking enforcement officer" means a duly elected supervisor of the Town Board. Law enforcement officers shall have all the powers of a parking enforcement officer under this Article.
8. **Person.** "Person" means an individual or entity subject to the laws and rules of this state, however organized, whether public or private, whether domestic or foreign, whether for profit or nonprofit, and whether natural, corporate, or political.
9. **Right-of-Way.** "Right-of-way" means the entire width between boundary lines of any way or place under the jurisdiction of the Town, including publicly dedicated rights-of-way, when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic and is maintained by the Town.
10. **Towing Company.** "Towing company" means a person engaged in the business of towing or recovering vehicles by means of a crane, hoist, tow bar, tow line, or dolly.
11. **Town.** "Town" means Baldwin Township, Sherburne County, Minnesota.
12. **Town Board.** "Town Board" means the Board of Supervisors of Baldwin Township, Sherburne County, Minnesota.

Section 1.02. Cultivation and Landscaping.

1. **Cultivation.** No person may cultivate, plant, harvest, or maintain agricultural crops, trees, bushes, or shrubs within a right-of-way.

2. **Landscaping.** No person may cultivate, plant, or maintain grasses, flowers, vegetables, or other vegetation in any manner that obstructs visibility of a right-of-way or otherwise interferes with, obstructs, or renders dangerous for passage a right-of-way. No person may place watering systems or sprinkler heads within a right-of-way.

Section 1.03. Obstructions and Junk Prohibited as a Public Nuisance.

1. **Obstructions.** No person may place, maintain, or allow any obstruction in a right-of-way other than those specifically permitted by this Article, by state law or rule, or by written approval of the Town Board. Items prohibited by this section include, but are not limited to, fences, posts, structures, piled materials, hay bales, vehicles, trailers, campers, equipment, or any other items that interfere with the safe use or the maintenance of the right-of-way. No person shall park a functioning vehicle in a right-of-way in such a way as to unreasonably interfere with the safe use of a road or the maintenance of the right-of-way.
2. **Junk.** No person shall place, discard, deposit, or maintain Junk in a right-of-way.

Section 1.04. Alteration of Grade.

No person may alter or change the depth or contour of any portion of any ditch or embankment in a right-of-way without written approval of the Town Board.

Section 1.05. Unauthorized Maintenance.

No person may work, maintain, improve, or repair the traveled portion of a right-of-way without the written approval of the Town Board.

Section 1.06. Doing Damage.

No person shall cause damage to a right-of-way, whether by a willful act or a failure to exercise due care, without the written approval of the Town Board. Damage prohibited by this section includes obstructing a ditch, culvert, or any related drainage facilities. Any person doing work within a right-of-way with approval of the Town Board shall return the right-of-way to at least the same condition it was in prior to the damage.

Section 1.07. Mailboxes, Signs and Newspaper Boxes.

1. **Mailboxes.** Mailboxes and newspaper boxes are permitted within a right-of-way if they do not interfere with, obstruct, or render dangerous for passage in a right-of-way. Mailboxes placed within a right-of-way shall comply with all of the standards in Minnesota Rules, chapter 8818 regardless of the speed limit of the adjacent road. The Town Board may remove and replace mailboxes that do not comply with the standards at the owner's expense as provided in Minnesota Statute, section 169.072.
2. **Signs.** No sign of any nature may be placed or allowed to remain in any right-of-way except an official traffic sign placed by a governmental authority or other signage expressly permitted by state law.

Section 1.08. Approaches and Headwalls.

1. **Approaches (Driveways).** No person may construct or reconstruct any approach within a right-of-way without first obtaining a permit from the Town. A person may be required to submit a map or drawing of the existing or proposed approach when seeking approval.
 - (a) A person shall be required to construct or reconstruct an approach that meets these minimum specifications for safety and for adequate drainage of the right-of-way. These specifications include, but are not necessarily limited to, the following standards:
 1. Culverts within approaches shall be a minimum of 15 inches in diameter and a minimum of 24 feet in length.
 2. Approach culverts must be constructed of 16 gauge corrugated metal pipe.
 3. Aprons are required.
 4. Approach inslope in the ditch at the Culvert shall be no greater than 4:1.
 5. Only one driveway per roadway is permitted for each residential lot.
 6. The minimum spacing between approaches connecting to a collector roadway is 150 feet.
 7. The maximum top width of a residential approach within the right-of-way shall be limited to 24 feet. The maximum top width of a commercial driveway within the right-of-way shall be limited to 30 feet.
 8. The full width of the right-of-way adjacent to the person's property shall be cleared and grubbed prior to the construction of the approach.
 - i. All stumps, roots, logs, and brush shall be removed from the upper 24 inches of the approach roadbed embankment.
 - ii. Oversized rock, broken concrete, and metals shall be removed from the upper 12 inches of the approach roadbed embankment.
 - (b) **Variiances.** A person may request a variance from any of the requirements of this section by submitting a written request explaining the standards from which a variance is sought and the reasons for the variance to the Town and appearing before the Town Board at a regular meeting.
 - (c) **Non-Compliance.** A person who fails to comply with the requirements of this section may be required to remove and/or reconstruct the unapproved approach at that person's sole expense.
2. **Culverts.** No person may place or replace a culvert within a right-of-way without first obtaining a permit from the Town. A person may be required to submit a map or drawing of the existing or proposed culvert when seeking approval. All new and replacement culverts shall be installed consistent with the Town's applicable standards. A person may be required

to install a culvert meeting the specifications set out by the Town Board if the Town Board determines a culvert is necessary for suitable approach to the road and to promote adequate drainage of the right-of-way. These specifications for culverts include, but are not limited to, the following standards:

- (a) Safety aprons are required on all culverts located at the intersection of a Town road and a collector roadway;
- (b) Culverts used in approaches shall be a minimum of 15 inches in diameter and a minimum of 24 feet in length; and
- (c) Culverts used in approaches shall be constructed of 16 gauge corrugated metal pipe.

3. **Culvert Replacement.** Any person that damages a culvert shall be required to replace the damaged culvert with one sized to convey a discharge equal to or greater than the capacity of the damaged culvert.
4. **Costs.** A person constructing or reconstructing an approach to an existing road shall be responsible for paying all of the costs related thereto, including the cost of seeking all necessary approvals and the cost of a culvert if one is required. Property owners are responsible for maintaining, repairing, and replacing as needed all approaches and associated culverts on their property at their own cost.
5. **Headwalls.** No person may construct or reconstruct any headwall within a right-of-way without first obtaining a permit from the Town. All headwalls shall be constructed or reconstructed in a way that does not interfere with the safe use, maintenance, or damage of a right-of-way.

Section 1.09. Drainage Affecting Right-of-Way.

No person may install, connect, construct, or reconstruct any drainage system or facility including, but not limited to, ditches, drain tile, culverts, or pipes into, across, or that outlets into a right-of-way without first obtaining a permit from the Town. A person may be required to submit a map or drawing of the existing or proposed drainage system when seeking approval.

Section 1.10. Parking Restrictions. Every vehicle parked upon a right-of-way shall comply with the provisions of this section.

(a) **Prohibitions.** No person shall park a vehicle, whether attended or unattended, in a right-of-way in a way which violates any of the following:

- 1) In a place prohibited by Minnesota Statutes, section 169.32;
- 2) In a place prohibited by Minnesota Statutes, section 169.34, subdivision 1;
- 3) So as to interfere with the maintenance of a right-of-way by the town or its authorized contractors. For the purposes of this prohibition, maintenance includes, but is not limited to, snowplowing, grading, seal coating, and bituminous overlay;
- 4) For longer than 72 consecutive hours from April 1st through November 30th each year; or

- 5) In an area designated by Town Board resolution and marked by one or more signs as being a no parking area.

(b) Snow Season Parking. It is unlawful for a person to park a vehicle, whether attended or unattended, during the snow season in a way which violates this section.

- 1) No parking is allowed in a right-of-way when there is an accumulation of 2 or more inches of snow until after the Town has completed plowing it.
- 2) During periods when less than 2 inches of snow has accumulated, or after the snow has been plowed and snow event has ended, no vehicle may be parked in a right-of-way for more than 12 consecutive hours.

(c) Truck Parking. It is unlawful to park a truck in a right-of-way longer than 12 consecutive hours, except when loading or unloading is actively taking place.

Section 1.11. Abandoned Vehicles.

It shall be unlawful to park, store, leave, or to allow the parking, storage, or leaving of an abandoned vehicle in a right-of-way. Abandoned vehicles create an unsightly condition tending to reduce property values, interfere with the maintenance and safe use of rights-of-way, and constitute an attractive nuisance creating a hazard to the health, safety and welfare of minors.

Section 1.12. Towing and Impoundment Authorized.

The Town may tow and have impounded a vehicle parked or abandoned in violation of this Article as provided in this section.

(a) Parking Enforcement Officers. The duly elected supervisors of the Town Board are individually designated parking enforcement officers for the purposes of this Article and shall have all powers provided such officers under this Article, Minnesota Statutes, section 169.041, and are authorized to act on behalf of the Town, as a towing authority, for the purposes of Minnesota Statutes, Chapter 168B.

(b) Designating a Towing Company. The Town Board may designate one or more towing companies that a parking enforcement officer may contact to tow a vehicle in accordance with this Article. If one or more towing companies are designated, a parking enforcement officer shall use a designated company to the extent reasonably possible under the circumstances. The Town board may enter into such agreements with the towing companies as it deems necessary to provide for the timely towing and storage of vehicles. A towing company towing or impounding a vehicle pursuant to this Article shall be responsible for impounding and properly storing and safekeeping the vehicle and its contents. Any towing company towing a vehicle upon order of a parking enforcement officer shall comply with all applicable federal, state, and local laws, rules, regulations, and ordinances in the towing, storage, and sale or other disposal of the vehicles it tows.

Section 1.13. Procedure for Towing Vehicles.

A parking enforcement officer shall comply with the following procedures before ordering a vehicle towed pursuant to this ordinance.

(a) Citation and Towing Report. A parking enforcement officer shall issue a citation and towing report ("Report") regarding the vehicle in violating of this ordinance. The Report shall describe the vehicle, the license plate number, and the reasons for towing. The citation and towing report may be on the same form. The parking enforcement officer and the tow driver shall both sign the Report.

(b) Waiting Period. If the vehicle is not moved or otherwise made to comply with this Article within four hours of the issuance of the Report, the parking enforcement officer may order the vehicle towed.

(c) Immediate Towing. A parking enforcement officer may order the immediate towing of a vehicle, upon the issuance of a Report and without allowing for a waiting period, if its parked or located so as to:

- 1) Violate the snow season parking prohibition contained in this Article;
- 2) Interfere with snowplowing the traveled portion of a right-of-way;
- 3) Block a driveway, alley, right-of-way, or fire hydrant;
- 4) Be within 30 feet of a stop sign and visually blocking the stop sign;
- 5) Be within a designated no parking area;
- 6) Constitutes an accident or traffic hazard to the traveling public as determined by a parking enforcement officer;
- 7) Prevent egress by a lawfully parked vehicle; or
- 8) Violate state law allowing the immediate towing of a vehicle.

(d) Notice. Within five days of towing a vehicle, the town or the towing company shall send or otherwise deliver written notice of the towing to the owner and lien holder of the vehicle. If the town provides the notice, it shall provide a copy of the notice to the towing company and if the towing company provides the notice it shall provide the town a copy. If the owner cannot be identified, the notice required by this paragraph shall be published at least once in the town's official newspaper. The notice shall include the following information:

- 1) The date the vehicle was towed;
- 2) The place the vehicle was towed from;
- 3) The year, make, model, and vehicle identification number of the vehicle;
- 4) Information about the right to reclaim the vehicle and who to contact; and
- 5) The failure to reclaim the vehicle constitutes a waiver by them of any right, title, and interest in the vehicle and its contents and consent to dispose of both.

Section 1.14. Retrieving Impounded Vehicles.

An owner shall contact the towing company directly in order to reclaim a vehicle towed and impounded pursuant to this ordinance. The towing company may charge the reasonable costs of services provided in the towing, storage, and inspection of the vehicle before releasing the vehicle. The towing company shall be responsible for requiring sufficient proof of ownership before releasing a vehicle or its contents. A registered owner of a vehicle may retrieve the

contents of a vehicle without charge and without retrieving the vehicles when authorized to do so pursuant to Minnesota Statutes, section 168B.07, subdivision 3.

Section 1.15. Disposal of Unclaimed Vehicles.

The towing company shall be responsible for properly disposing of the unclaimed vehicles impounded pursuant to this ordinance in accordance with the authority provided to impound lots under law to sell or otherwise dispose of impounded vehicles.

Section 1.16. Utilities in the Right-of-Way.

The installation, maintenance, replacement, and removal of utility lines, equipment, or related facilities within a right-of-way shall be regulated pursuant to Article II of this Ordinance.

Section 1.17. Town and Contractors.

The prohibitions, requirements, and restrictions contained in this Article do not apply to: the Town; Town officers, employees, or agents while operating within the course and scope of their duties for the Town; or contractors while performing services within the scope of a contract with the Town.

Section 1.18. Permissions and Permits.

1. **Conditions.** The Town may place reasonable conditions and impose reasonable regulations on any permission or permit it issues to do work within a right-of-way. Failure to comply with any condition or regulation may result in the revocation of the Town's permission or permit if the deficiency is not immediately corrected upon notice from the Town.
2. **Limitations.** Any person receiving permission or a permit from the Town Board as provided in this Article must comply with all applicable federal, state, and local laws and rules as well as all applicable Town ordinances, resolutions, specifications, regulations, and policies. The person shall also comply with all conditions, requirements, and limitations the Town Board expresses as part of the permission or permit. Any person doing work within a right-of-way shall be responsible for posting such signs, barricades, or other warning signs as may be required to notify the traveling public of any hazards created by the work and shall take such other measures as may reasonably be required to protect public safety.
3. **Indemnification.** Any person doing work within a right-of-way with permission or upon a permit issued by the Town agrees, as a condition of such permission or permit, to indemnify, defend, and hold the Town, its officers, employees, and agents harmless from all claims, suits, penalties and costs, including defense costs, the Town, its officers, employees, or agents may incur or be required to pay arising out of or in any way related to the work. Nothing in this ordinance shall constitute or be deemed a waiver of the limitations on or exemptions from liability available to the Town under Minnesota Statutes, Chapter 466 or otherwise. Additionally, the granting of permission or a permit shall not constitute a joint venture or joint enterprise between the person and the Town.

Section 1.19. Dedications.

The Town shall not assume the responsibility to maintain any right-of-way dedicated to the Town or the public, whether by plat or otherwise, until it is built to Town specifications, all conditions the Town Board may have imposed related to the acceptance of the road have been complied with to the satisfaction of the Town Board, and the Town Board passes a resolution determining that spending the Town's funds to maintain the road is in the public interest.

Section 1.20. Fees.

The Town Board shall establish, by resolution, fees for all permits required by this Article. The Town Board may amend its fee schedule by resolution at any regular meeting.

Section 1.21. Enforcement and Penalty.

1. **Violation.** A violation of any section or requirement of this Article is prohibited and shall constitute a public nuisance. The person or persons violating this Article shall be subject to the penalties provided herein and shall be responsible for abating the nuisance, including the reimbursement of all costs the Town may incur to abate or otherwise respond to the nuisance.
2. **Correction Order.** Upon discovery of a violation of this Article, the Town Board may issue a correction order to the violator, in person or by U.S. Mail, ordering the person to correct the violation by a time certain. If the address of the violator is not known, or if the property is not occupied, the Town will provide notice of the order by posting same on the property. If the violator fails to comply with the correction order by the time indicated in the order, which in no case shall exceed 30 days, the Town Board may provide for the correction of the violation. Issuance of a correction order does not preclude imposition of the penalties set forth in this Article.
3. **Immediate Correction.** If the Town Board determines that the violation creates an immediate threat to public safety, the Town Board will make a good faith effort to notify the violator to immediately correct the situation. If the Town Board is not able to promptly contact the violator, or if the violator fails to immediately correct the situation upon notification, the Town Board may provide for the correction of the violation as it determines is appropriate.
4. **Cost of Correction.** The cost of correcting a violation shall be the responsibility of the violator. If the Town Board provides for the correction of the violation, all expenses incurred, including reasonable attorney's fees shall be billed to the violator. If the bill is not paid in full by the due date, the Town Board may exercise any options available to it under law to collect the amount due including, but not limited to, imposing the costs on the violator's property as a service charge pursuant to Minnesota Statutes, section 366.012.
5. **Penalty.** Any person who violates this Article shall be guilty of a misdemeanor and subject to the penalties for such as provided in State law, except that a violation of the parking restrictions contained herein shall be a petty misdemeanor. Each day of existence of such violation shall constitute a separate offense. If convicted, the person may be assessed costs of prosecution as allowed by Minnesota Statutes, section 366.01, subdivision 10.

Section 1.22. Savings Clause.

The failure of the Town Board to exercise, and any delay in exercising, any right under this Article, including enforcement, shall not operate as a waiver thereof and shall not constitute a waiver of the Town's interest, however created, in any right-of-way, easement, or any other type of property interest.

Section 1.23. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Article is for any reason held invalid or unconstitutional by any court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 1.24. Effective Date.

This Article shall be effective upon its passage and the first day of publication.

ARTICLE II
USE OF RIGHTS-OF-WAY BY UTILITY PROVIDERS

Section 2.00. Purpose and Authority.

1. **Purpose.** It is the purpose of this Article is to establish reasonable regulations, requirements, and restrictions regarding the use of Town rights-of-way in order to protect the health, safety and welfare of Town residents, those traveling on Town roads, and the general public. It is also the purpose of this Article to protect the cumulative investment the public has made to construct, maintain, and improve the Town's roads by requiring those undertaking utility projects in and near the Town's rights-of-way to obtain a permit from the Town and to be responsible for restoring the rights-of-way directly or indirectly impacted by the project to at least the same or better condition they were in prior to the project. Finally, this Article provides for the recovery by the Town of its actual expenses incurred related to such projects.
2. **Authority.** As the road authority for the Town's roads, the Town Board has the authority and responsibility to provide for safe and efficient local roadways and to establish regulations governing the use and maintenance of Town roadways and public rights-of-way. This Article is adopted consistent with that authority as well as the authority provided the Town Board pursuant to 1997 Session Laws, Chapter 123, Minnesota Statutes, sections 237.16, 237.162, 237.163, 237.79, 237.81, and 238.086 (the "Act"), Minnesota Statutes, sections 164.36, 169.832, 169.87, and the other laws governing applicable rights of the Town and users of the right-of-way. This Article shall be interpreted consistent with those statutes as well as with Minnesota Rules, parts 7819.0050 – 7819.9950 where possible. This Article shall not be interpreted to limit the regulatory and police powers of the Town to adopt and enforce general ordinances necessary to protect the health, safety and welfare of the public.

Section 2.02. Election to Manage the Public Right-of-Way.

Pursuant to the authority granted the Town under state and federal statutory, administrative and common law, the Town hereby elects, pursuant to Minnesota Statutes, section 237.163, subdivision 2(b), to manage its rights-of-way within the Town.

Section 2.03. Definitions.

For the purpose of this Article, the following terms shall have the meaning given them in this Section.

1. **Abandoned Facility.** "Abandoned Facility" means a facility no longer in service or physically disconnected from a portion of the operating facility, or from any other facility, that is in use or still carries service. A facility is not abandoned unless declared so by the right-of-way User.
2. **Applicant.** "Applicant" means any person requesting permission to excavate or obstruct a right-of-way.
3. **Commission.** "Commission" means the Minnesota Public Utilities Commission.
4. **Construction Performance Bond.** "Construction Performance Bond" means any of the following forms of security provided at permittee's option:
 - a. Individual project bond;
 - b. Cash deposit;
 - c. Letter of Credit, in a form acceptable to the Town;
 - d. Self-insurance, in a form acceptable to the Town; or
 - e. A blanket bond for projects within the Town, or other form of construction bond, for a time specified and in a form acceptable to the Town.
5. **Degradation.** "Degradation" means a decrease in the useful life of the right-of-way caused by excavation in or disturbance of the right-of-way, resulting in the need to reconstruct such right-of-way earlier than would be required if the excavation or disturbance did not occur.
6. **Degradation Cost.** "Degradation Cost" subject to Minnesota Rules, part 7819.1100, means the cost to achieve a level of restoration, as determined by the Town at the time the permit is issued, not to exceed the maximum restoration shown in plates 1 to 13, set forth in Minnesota Rules, parts 7819.9900 to 7819.9950.
7. **Degradation Fee.** "Degradation Fee" means the estimated fee established at the time of permitting by the Town to recover costs associated with the decrease in the useful life of the right-of-way caused by the excavation, and which equals the degradation cost.
8. **Delay Penalty.** "Delay Penalty" is the penalty imposed as a result of unreasonable delays in right-of-way excavation, obstruction, patching, or restoration as established by permit.
9. **Emergency.** "Emergency" means a condition that (1) poses a danger to life or health, or of a significant loss of property; or (2) requires immediate repair or replacement of facilities in order to restore service to a customer.

10. **Equipment.** "Equipment" means any tangible asset used to install, repair, or maintain facilities in any right-of-way.
11. **Excavate.** "Excavate" means to dig into or in any way remove or physically disturb or penetrate any part of a right-of-way.
12. **Excavation Permit.** "Excavation Permit" means the permit which, pursuant to this Article, must be obtained before a person may excavate in a right-of-way. An excavation permit allows the holder to excavate that part of the right-of-way described in such permit.
13. **Excavation Permit Fee.** "Excavation Permit Fee" means money paid to the Town by an applicant to cover the costs as provided in this Article.
14. **Facility.** "Facility" or "Facilities" means any tangible asset in the right-of-way required to provide utility service.
15. **Local Representative.** "Local Representative" means a local person or persons, or designee of such person or persons, authorized by an applicant to accept service and to make decisions for that registrant regarding all matters within the scope of this Article.
16. **Management Costs.** "Management Costs" means the actual costs the Town incurs in managing its rights-of-way, including such costs, if incurred, as those associated with: registering applicants; issuing, processing, and verifying right-of-way Permit applications; inspecting job sites and restoration projects; maintaining, supporting, protecting, or moving user facilities during right-of-way work; determining the adequacy of right-of-way restoration; restoring work inadequately performed after providing notice and the opportunity to correct the work; and revoking right-of-way Permits. Management costs do not include payment by a telecommunications right-of-way User for the use of the right-of-way, the fees and cost of litigation relating to the interpretation of Minnesota Session Laws 1997, Chapter 123; Minnesota Statutes, sections 237.162 or 237.163; or any ordinance enacted under those sections, or the Town fees and costs related to appeals taken as provided in this Article.
17. **Obstruct.** "Obstruct" means to place any tangible object in a right-of-way so as to hinder free and open passage over that or any part of the right-of-way.
18. **Obstruction Permit.** "Obstruction Permit" means the permit which, pursuant to this Article, must be obtained before a person may obstruct a right-of-way, allowing the holder to hinder free and open passage over the specified portion of that right-of-way, for the duration specified therein.
19. **Obstruction Permit Fee.** "Obstruction Permit Fee" means money paid to the Town by a permittee to cover the costs as provided in this Article.
20. **Patch.** "Patch" or "Patching" means a method of pavement replacement or roadway repair that is temporary in nature. A patch consists of (1) the compaction of the subbase and aggregate base, and (2) the replacement, in kind, of the existing pavement for a minimum of two feet beyond the edges of the excavation in all directions. A patch is considered full restoration only on roads the Town Board has scheduled to be overlaid within five years.

21. **Pavement.** "Pavement" means any type of improved surface that is within the public right-of-way and that is paved or otherwise constructed with bituminous, concrete, aggregate, or gravel.
22. **Permit.** "Permit" has the meaning given "right-of-way Permit" in Minnesota Statutes, section 237.162.
23. **Permittee.** "Permittee" means any person to whom a permit to excavate or obstruct a right-of-way has been granted by the Town under this Article.
24. **Person.** "Person" means an individual or entity subject to the laws and rules of this state, however organized, whether public or private, whether domestic or foreign, whether for profit or nonprofit, and whether natural, corporate, or political.
25. **Restore.** "Restore" or "Restoration" means the process by which an excavated right-of-way and surrounding area, including pavement and foundation, is returned to the same condition and life expectancy that existed before excavation.
26. **Restoration Cost.** "Restoration Cost" means the amount of money paid to the Town by a permittee to achieve the level of restoration according to plates 1 to 13 of Minnesota Public Utilities Commission rules.
27. **Right-of-Way.** For purposes of this Article, "right-of-way" means the area on, below, or above a public road, highway, street, cartway, bicycle lane or public sidewalk in which the Town has an interest, including other publicly dedicated rights-of-way for travel purposes and utility easements of the Town. A right-of-way does not include the airwaves above a right-of-way with regard to cellular or other non-wire telecommunications or broadcast service.
28. **Right-of-Way Permit.** "Right-of-way permit" means either the excavation permit or the obstruction permit, or both, depending on the context, required by this Article.
29. **Right-of-Way User.** "Right-of-way user" means (1) a telecommunications right-of-way user as defined by Minnesota Statutes, section 237.162, subdivision 4; or (2) a person owning or controlling a facility in the right-of-way that is used or intended to be used for providing utility service, and who has a right under law, franchise, or ordinance to use the public right-of-way.
30. **Service.** "Service" or "Utility Service" includes (1) those services provided by a public utility as defined in Minnesota Statutes, section 216B.02, subdivisions 4 and 6; (2) services of a telecommunications right-of-way user, including transporting of voice or data information; (3) services of a cable communications systems as defined in Minnesota Statutes, Chapter 238; (4) services provided by a cooperative electric association organized under Minnesota Statutes, Chapter 308A; and (5) water, and sewer, including service laterals, steam, cooling or heating services.
31. **Service Lateral.** "Service Lateral" means an underground facility that is used to transmit, distribute, or furnish gas, electricity, communications, or water from a common source to an

end-use customer. A service lateral is also an underground facility that is used in the removal of wastewater from a customer's premises.

32. **Temporary Surface.** "Temporary Surface" means the compaction of subbase and aggregate base and replacement, in kind, of the existing pavement only to the edges of the excavation. It is temporary in nature except when the replacement is of pavement included in the Town's two-year plan, in which case it is considered full restoration.
33. **Trench.** "Trench" means an excavation in the traveled surface of a road, with the excavation having a length equal to or greater than the width of the traveled surface.
34. **Telecommunications Right-of-Way User.** "Telecommunication right-of-way user" means a person owning or controlling a facility in the right-of-way, or seeking to own or control a facility in the right-of-way that is used or is intended to be used for transporting telecommunication or other voice or data information. For purposes of this Article, a cable communication system defined and regulated under Minnesota Statutes, Chapter 238, and telecommunication activities related to providing natural gas or electric energy services whether provided by a public utility as defined in Minnesota Statutes, section 216B.02, a municipality, a municipal gas or power agency organized under Minnesota Statutes, Chapters 453 and 453A, or a cooperative electric association organized under Minnesota Statutes, Chapter 308A, are not telecommunications right-of-way users for purposes of this Article.
35. **Town Board.** "Town Board" means the Board of Supervisors of Baldwin Township, Sherburne County, Minnesota.
36. **Town.** "Town" means Baldwin Township, Sherburne County, Minnesota.
37. **Town Representative.** "Town Representative" means a Town supervisor or other person designated by the Town Board to conduct inspections or to otherwise oversee work done within rights-of-way, whether such work is done by permit or otherwise.

Section 2.04. Permit Requirement.

1. **Permit Required.** Except as otherwise provided in this Article, no person may obstruct or excavate any right-of-way without first having obtained the appropriate right-of-way permit from the Town to do so.
 - (a) **Excavation Permit.** An excavation permit is required to excavate within a right-of-way related to the installation, repair, replacement, or removal of facilities.
 - (b) **Obstruction Permit.** An obstruction permit is required to obstruct a right-of-way by placing equipment described therein on the right-of-way, to the extent and for the duration specified therein. An obstruction permit is not required if a person already possesses a valid excavation permit for the same project.
 - (c) **Combination Permit.** If a proposed utility project involves both the excavation and obstruction of a right-of-way, a person may apply for a combination excavation/obstruction permit.

2. **Exclusions.** The Town, its agents, and contractors performing work for the Town shall not be required to obtain permits from the Town to excavate or obstruct a right-of-way. Contractors performing work for the Town shall be required to erect and maintain such signs and other traffic control devices as are necessary to warn of the work and to protect public safety.
3. **Permit Extensions.** No person may excavate or obstruct the right-of-way beyond the date or dates specified in the permit unless: (i) such person makes a supplementary application for another right-of-way permit before the expiration of the initial permit; and (ii) a new permit or permit extension is granted.
4. **Delay Penalty.** In accordance with Minnesota Rule, part 7819.1000, subpart 3, the Town may establish and impose a delay penalty for unreasonable delays in right-of-way excavation, obstruction, patching, or restoration.
5. **Permit Display.** Permits issued under this Article shall be conspicuously displayed or otherwise available at all times at the indicated work site and shall be available for inspection by the Town.

Section 2.05. Permit Applications.

Application for a permit is made to the Town. Right-of-way permit applications shall contain, and will be considered complete only upon compliance with, the requirements of the following provisions:

- A. Submission of a completed permit application form, including all required attachments, and scaled drawings showing the location and area of the proposed project and the location of all known existing and proposed facilities.
- B. Payment of money due the Town for:
 - (1) permit fees, estimated restoration costs and other management costs;
 - (2) any outstanding amounts related to prior obstructions or excavations;
 - (3) any undisputed loss, damage, or expense suffered by the Town because of applicant's prior excavations or obstructions of the rights-of-way or any emergency actions taken by the Town; and
 - (4) franchise fees or other charges, if applicable.
- C. Payment of disputed amounts due the Town by posting security or depositing in an escrow account an amount equal to at least 110% of the amount owing.
- D. Posting an additional or larger construction performance bond for additional facilities when applicant requests an excavation permit to install additional facilities and the Town deems the existing construction performance bond inadequate under applicable standards.

Section 2.06. Issuance of Permit; Conditions.

1. **Permit Issuance.** If the applicant has satisfied the requirements of this Article, the Town shall issue a permit.
2. **Conditions.** The Town may impose reasonable conditions upon the issuance of the permit and the performance of the applicant thereunder to protect the health, safety, and welfare or when necessary to protect the right-of-way and its current use.

Section 2.07. Permit Fees.

1. **Excavation Permit Fee.** The Town shall establish an excavation permit fee in an amount sufficient to recover the following costs:
 - (a) the Town management costs; and
 - (b) degradation costs, if applicable.
2. **Obstruction Permit Fee.** The Town shall establish an obstruction permit fee and it shall be in an amount sufficient to recover the Town management costs.
3. **Payment of Permit Fees.** No excavation permit or obstruction permit shall be issued without payment of excavation or obstruction permit fees. The Town may allow applicant to pay such fees within thirty (30) days of billing.
4. **Non-Refundable.** Permit fees that were paid for a permit that the Town has revoked for a breach as provided in this Article are not refundable.
5. **Fees.** All fees provided for in this Article shall be determined by resolution of the Town Board and shall be designed to recover the actual costs the Town incurs related to the particular project and in managing its rights-of-way.

Section 2.08. Right-of-Way Patching and Restoration.

1. **Timing.** The work to be done under an excavation permit, and the patching and restoration of the right-of-way as required herein, must be completed within the dates specified in the permit, increased by as many days as work could not be done because of circumstances beyond the control of the permittee or when work was prohibited due to unseasonal or other weather conditions which reasonably prohibited the work.
2. **Patch and Restoration.** Permittee shall patch its own work. The Town may choose either to have the permittee restore the right-of-way or to restore the right-of-way itself.
 - (a) Town Restoration. If the Town restores the right-of-way, permittee shall pay the costs thereof within thirty (30) days of billing. If, following such restoration, the roadway settles due to permittee's improper backfilling, the permittee shall pay to the Town, within thirty (30) days of billing, all costs associated with correcting the defective work.
 - (b) Permittee Restoration. If the permittee restores the right-of-way, it shall at the time of application for an excavation permit post a construction performance bond in accordance with the provisions of Minnesota Rule, part 7819.3000.

- (c) Degradation Fee in Lieu of Restoration. In lieu of right-of-way restoration, a right-of-way user may elect to pay a Degradation Fee. However, the right-of-way user shall remain responsible for patching, and the Degradation Fee shall not include the cost to accomplish these responsibilities.
3. **Standards.** The permittee shall perform excavation, backfilling, patching and restoration according to the standards and with the materials specified by the Town and shall comply with Minnesota Rule, part 7819.1100.
 4. **Duty to Correct Defects.** The permittee shall correct defects in patching or restoration performed by permittee or its agents. The permittee upon notification from the Town, shall correct all restoration work to the extent necessary, using the method required by the Town. Said work shall be completed within five calendar days of the receipt of the notice from the Town, not including days during which work cannot be done because of circumstances constituting *force majeure* or days when work is prohibited by unreasonable weather conditions.
 5. **Failure to Restore.** If the permittee fails to restore the right-of-way in the manner and to the condition required by the Town, or fails to satisfactorily and timely complete all restoration required by the Town, the Town at its option may do such work. In that event, the permittee shall pay to the Town, within thirty (30) days of billing, the cost of restoring the right-of-way. If permittee fails to pay as required, the Town may immediately exercise its rights under the construction performance bond.

Section 2.09. Supplementary Applications.

1. **Limitation on Area.** A right-of-way permit is valid only for the area of the right-of-way specified in the permit. No permittee may do any work outside the area specified in the permit, except as provided herein. Any permittee which determines that an area greater than that specified in the permit must be obstructed or excavated must before working in that greater area: (i) make application for a permit extension and pay any additional fees required thereby; and (ii) be granted a new permit or permit extension.
2. **Limitation on Dates.** A right-of-way permit is valid only for the dates specified in the permit. No permittee may begin its work before the permit start date or, except as provided herein, continue working after the end date. If a permittee does not finish the work by the permit end date, it must apply for a new permit for the additional time it needs, and receive the new permit or an extension of the old permit before working after the end date of the previous permit. This supplementary application must be submitted before the permit end date.

Section 2.10. Other Obligations.

1. **Compliance With Other Laws.** Obtaining a right-of-way permit does not relieve permittee of its duty to obtain all other necessary permits, licenses, and authority and to pay all fees required by the Town or other applicable rule, law or regulation. A permittee shall comply with all requirements of local, state and federal laws, including but not limited to Minnesota Statutes, sections 216D.01-.09 (Gopher One Call Excavation Notice System), and Minnesota

Rules, Chapter 7560. A permittee shall perform all work in conformance with all applicable codes and established rules and regulations, and is responsible for all work done in the Right-of-Way pursuant to its permit, regardless of who does the work.

2. **Prohibited Work.** Except in an emergency, and with the approval of the Town, no right-of-way obstruction or excavation may be done when seasonally prohibited or when conditions are unreasonable for such work.
3. **Interference with Right-of-Way.** A permittee shall not so obstruct a right-of-way so as to interfere with the natural free and clear passage of water through culverts, ditches, or other waterways or drainage structures within the right-of-way. Private vehicles of those doing work in the right-of-way may not be parked within or next to a permit area, unless parked in conformance with Town parking regulations. The loading or unloading of trucks must be done solely within the defined permit area unless specifically authorized by the permit.
4. **Trenchless Excavation.** As a condition of all applicable permits, permittees employing trenchless excavation methods including, but not limited to, horizontal directional drilling, shall follow all requirements set forth in Minnesota Statutes, Chapter 216D; Minnesota Rules, Chapter 7560; and shall require potholing or open cutting over existing underground utilities before excavating, as determined by the Town.

Section 2.11. Denial of Permit.

The Town may deny a permit for failure to meet the requirements and conditions of this Article if the Town determines that the denial is necessary to protect the health, safety, and welfare, or if the Town determines such denial is necessary to protect the right-of-way and its current use.

Section 2.12. Installation Requirements.

The excavation, backfilling, patching and restoration, and all other work performed in the right-of-way shall be done in conformance with Minnesota Rules, parts 7819.1100 and 7819.5000 and other applicable local requirements, in so far as they are not inconsistent with the Minnesota Statutes, sections 237.162 and 237.163. Installation of service laterals shall be performed in accordance with Minnesota Rules, Chapter 7560, and this Article.

Section 2.13. Inspection.

1. **Notice of Completion.** When the work under any permit hereunder is completed, the permittee shall furnish a completion certificate in accordance Minnesota Rules, part 7819.1300.
2. **Site Inspection.** Permittee shall make the work-site available to the Town and to all others as authorized by law for inspection at all reasonable times during the execution of and upon completion of the work.
3. **Authority of Town Representative.**

- (a) At the time of inspection, the Town Representative may order the immediate cessation of any work which poses a serious threat to the life, health, safety or well-being of the public.
- (b) The Town Representative may issue an order to the permittee for any work that does not conform to the terms of the permit or other applicable standards, conditions, or codes. The order shall state that failure to correct the violation will be cause for revocation of the permit. Within ten (10) days after issuance of the order, the permittee shall present proof to the Town Representative that the violation has been corrected. If such proof has not been presented within the required time, the Town Representative may revoke the permit as provided herein.

Section 2.14. Work Done Without a Permit.

1. **Emergency Situations.** Each right-of-way user shall immediately notify the Town Representative of any event regarding its facilities that it considers to be an emergency. The right-of-way user may proceed to take whatever actions are necessary to respond to the emergency. Excavators' notification to Gopher State One Call regarding an emergency situation does not fulfill this requirement. Within two business days after the occurrence of the emergency, the right-of-way user shall apply for the necessary permits, pay the fees associated therewith, and fulfill the rest of the requirements necessary to bring itself into compliance with this Article for the actions it took in response to the emergency.
2. **Non-Emergency Situations.** Except in an emergency, any person who, without first having obtained the necessary permit, obstructs or excavates a right-of-way must subsequently obtain a permit and, as a penalty, pay double the normal fee for said permit, pay double all the other fees required by the Town, deposit with the Town the fees necessary to correct any damage to the right-of-way, and comply with all of the requirements of this Article.

Section 2.15. Supplementary Notification.

If the obstruction or excavation of the right-of-way begins later or ends sooner than the date given on the permit, permittee shall notify the Town of the accurate information as soon as this information is known.

Section 2.16. Revocation of Permits.

1. **Substantial Breach.** The Town reserves its right, as provided herein, to revoke any right-of-way permit without a fee refund, if there is a substantial breach of the terms and conditions of any statute, ordinance, rule or regulation, or any material condition of the permit. A substantial breach by permittee shall include, but shall not be limited to, the following:
 - (a) The violation of any material provision of the right-of-way permit;
 - (b) An evasion or attempt to evade any material provision of the right-of-way permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the Town or its citizens;
 - (c) Any material misrepresentation of fact in the application for a right-of-way permit;

- (d) The failure to complete the work in a timely manner, unless a permit extension is obtained or unless the failure to complete work is due to reasons beyond the permittee's control; or
 - (e) The failure to correct, in a timely manner, work that does not conform to a condition indicated on an order issued by a Town Representative.
2. **Written Notice of Breach.** If the Town determines that the permittee has committed a substantial breach of a term or condition of any statute, ordinance, rule, regulation or any condition of the permit, the Town shall make a written demand upon the permittee to remedy such violation. The demand shall state that continued violations may be cause for revocation of the permit. A substantial breach, as stated above, will allow the Town, at its discretion, to place additional or revised conditions on the permit to mitigate and remedy the breach.
 3. **Response to Notice of Breach.** Within 24 hours of receiving notification of the breach, permittee shall provide the Town with a plan, acceptable to the Town, which will cure the breach. Permittee's failure to so contact the Town, or permittee's failure to timely submit an acceptable plan, or permittee's failure to reasonably implement the approved plan, shall be cause for immediate revocation of the permit.
 4. **Reimbursement of Town costs.** If a permit is revoked, the permittee shall also reimburse the Town for the Town's reasonable costs, including restoration costs and the costs of collection and reasonable attorneys' fees incurred in connection with such revocation.

Section 2.17. Location and Relocation of Facilities.

Placement, location, and relocation of facilities must comply with the Act, with other applicable law, and with Minnesota Rules, parts 7819.3100, 7819.5000 and 7819.5100, to the extent the rules do not limit authority otherwise available to Towns.

Section 2.18. Right-of-Way Vacation.

If the Town vacates a right-of-way that contains the facilities installed pursuant to a permit issued by the Town, the rights of the owner of the installed facilities in the vacated right-of-way are governed by Minnesota Rules, part 7819.3200.

Section 2.19. Indemnification and Liability.

By accepting a permit under this Article, permittee agrees to defend and indemnify the Town in accordance with the provisions of Minnesota Rule, part 7819.1250.

Section 2.20. Abandoned and Unusable Facilities.

1. **Discontinued Operations.** A right-of-way user who has determined to discontinue all or a portion of its operations in the Town must provide information satisfactory to the Town that the right-of-way user's obligations for its facilities in the right-of-way under this Article have been lawfully assumed by another person.

2. **Removal.** Any right-of-way user who has abandoned facilities in any right-of-way shall remove it from that right-of-way if required in conjunction with other right-of-way repair, excavation, or construction, unless this requirement is waived by the Town.

Section 2.21. Appeal.

A right-of-way user that: (1) has been denied a permit; (2) has had a permit revoked; (3) believes that the fees imposed are not in conformity with Minnesota Statutes, sections 237.163, subdivision 6; or (4) disputes a determination of the Town Representative regarding compliance with this Article or of permit conditions may have the denial, revocation, fee imposition, or decision reviewed, upon written request, by the Town Board. The Town Board shall act on a timely written request at its next regularly scheduled meeting, provided the right-of-way user has submitted its appeal with sufficient time to include the appeal as a regular agenda item. A decision by the Town Board affirming the denial, revocation, or fee imposition will be in writing and supported by written findings establishing the reasonableness of the decision.

Section 2.22. Savings Clause.

The failure of the Town Board to exercise, and any delay in exercising, any right under this Article, including enforcement, shall not operate as a waiver thereof and shall not constitute a waiver of the Town's interest, however created, in any right-of-way, easement, or any other type of property interest.

Section 2.23. Severability.

If any portion of this Article is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof. Nothing in this Article precludes the Town from requiring a franchise agreement with the applicant, as allowed by law, in addition to requirements set forth herein.

Section 2.24. Effective Date.

This Article shall be effective upon its passage and the first day of publication.

Adopted this 15th day of September, 2009.

BY THE TOWN BOARD

ATTEST:

Cathy Stevens
Cathy Stevens, Clerk-Treasurer

Jeff Holm
Jeff Holm, Chair

Published in the Princeton on the 1st day of October, 2009.
Union-Eagle

BE IT FINALLY RESOLVED, that the Town Clerk is hereby authorized and directed to:

- Post a copy of the full Ordinance on the Town Hall bulletin board;
- Place a copy of the full Ordinance at the Princeton Public Library;
- Place a copy of the full Ordinance at the Sherburne County Law Library; and
- Within 20 days place a copy of the full Ordinance in the Town's Ordinance Book along with a copy of this Resolution and a copy of the affidavit of having published the approved summary language.

Adopted on this 15th day of September, 2009 by at least a two-thirds vote of the Town Board.

BY THE TOWN BOARD


Town Chairperson


Attest: 
Town Clerk-Treasurer

EXHIBIT 32

ORDINANCE NO.: 100-2

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE AMENDING ORDINANCE 100 REGULATING ROAD RIGHTS-OF-WAY

THE BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP DOES HEREBY ORDAIN:

Section 1. Section 1.08 of Ordinance 100 regulating road rights-of-ways is hereby repealed and amended to read as follows:

Section 1.08. Property Access.

1. **Permit Required.** No person may construct or reconstruct any access within a right-of-way, including replacement of existing culverts, without first obtaining a permit from the Town.
 - (a) Applications for an access permit shall be submitted to the Town Clerk on forms provided by the Town.
 - (b) An application shall be accompanied by a non-refundable fee as provided by the town fee schedule
 - (c) An application shall also be accompanied by detailed written and graphic materials, including a site plan drawn to scale indicating the location of the proposed access in relation to property lines and other existing accesses.
 - (d) The town staff shall have the authority to request additional information from the applicant deemed necessary to determine compliance in relation to all pertinent sections of this Ordinance.
 - (e) The request shall be considered as being officially submitted when the Town Clerk determines that there is compliance with all the information requirements.
 - (f) Process:
 - (1) All applications for an access to a public road shall be subject to review by the Town Engineer.

- (2) Construction of a single access to a residential lot or parcel or access(es) to commercial, industrial, and institutional lot or parcels shall be subject to approval the Town Engineer.
- (3) Applications for more than one access to a residential lot or parcel shall be subject to the recommendation of the Town Engineer, review by the Planning Commission, and approval of the Town Board:
 - (i) The property owner shall have the burden of demonstrating that the criteria established by Section 1.08.2(c) of this Section are met.
 - (ii) The Planning Commission shall make a recommendation to the Town Board as to such actions or conditions relating to the request as they deem necessary to carry out the intent and purpose of this Ordinance.
 - (iii) Upon receiving the report and recommendation of the Planning Commission and Town staff, the Town Board may approve the request, with any conditions it considers necessary to protect the public health, safety, and welfare, or deny the application by majority vote.
- (g) The Town Clerk shall within 10 days provide the applicant and property owner with written notice of the Town Board's decision regarding the application.

2. Number of Accesses:

- (a) All properties shall be entitled to one access from a public road.
- (b) Access to agricultural properties shall not be limited, but shall be subject to approval of the Town Engineer.
- (c) Allowance of one or more additional accesses from a public road to a residential lot may be allowed, provided that the criteria are satisfied:
 - (1) The lot or parcel shall comply with the minimum lot area, width, and depth requirements of the Zoning Ordinance.
 - (2) There is a demonstrated need for more than one access due to physical site constraints (soils, steep slopes, significant vegetation, storm basins, wetlands or waterbodies) or the location of existing principal buildings.
 - (3) The proposed access shall not be onto a collector or arterial roadway designated by the Town.

- (4) The location of all accesses shall comply with the provisions of this Ordinance and the requirements of the Zoning Ordinance, subject to approval of the Town Engineer.
 - (5) The proposed access shall comply with the construction standards of this Ordinance, subject to approval of the Town Engineer.
 - (d) Commercial, industrial, and institutional uses shall be allowed one access from each road frontage or, if located on the same road frontage, one access for each 125 feet of frontage to that roadway, subject to approval of the Town Engineer.
3. **Location.** All accesses to properties from a public road shall comply with the following requirements:
- (a) Each lot or parcel shall have access directly onto an abutting, improved public road, except that shared accesses only within the public right-of-way onto a collector or arterial road designated by the town may be allowed subject to review by the Planning Commission and approval of the Town Board.
 - (b) Access Spacing (measured at the right-of-way line):
 - (1) No access shall be located closer than 75 feet to the intersection of the pavement of two local public roads or another access on the same side of the road.
 - (2) No access shall be located closer than 150 feet to the intersection of the pavement with a collector or arterial road or another access on the same side of the roadway from a collector or arterial road.
 - (c) All accesses shall be setback 10 feet from side or rear property lines, except as required for a shared access as allowed by Section 1.08.3(a) of this Ordinance subject to approval of the Town Engineer.
 - (d) An access shall not encroach within a drainage and utility easement, except those at the perimeter of a lot as required by the Subdivision Ordinance, unless approved by the Town Engineer and the property owner enters into an encroachment agreement approved by the Town Attorney that is recorded with the property.
4. **Width:** The width of an access within the public right-of-way shall comply with the following standards to be defined on a standard detail plate:
- (a) Access to an agriculture, rural, or residential uses shall be a minimum of 16 feet and not more than exceed 24 feet in width.

- (b) Access to a commercial, industrial, or institutional use shall be a minimum of 24 feet and not more than 30 feet in width, unless approved by the Town Engineer for traffic circulation needs.

5. **Surface:**

- (a) The surface of an access within the public right-of-way shall be asphalt or concrete, except for an access to agricultural properties to be provided an adequate surface approved by the Town Engineer.
- (b) The surface of an access within a lot or parcel shall comply with the provisions of the Zoning Ordinance.

6. **Construction Standards.** Construction of an access from a public road shall comply with Town standard specifications and the following:

- (a) Culverts:
 - (1) Minimum length: 24 feet
 - (2) Minimum diameter: 15 inches
 - (3) All culverts shall be constructed of 16 gauge corrugated metal pipe
- (b) The inslope at the culvert within the right-of-way shall not exceed 4:1.
- (c) The full width of right-of-way abutting a lot or parcel shall be cleared and grubbed prior to construction of the access:
 - (1) All stumps, roots, logs, brush, shrubs, trees or other vegetation shall be removed from the upper two feet of the access embankment.
 - (2) Oversized rock, broken concrete, metals, or other debris shall be removed from the upper one foot of the access embankment.

7. **Installation and Maintenance:**

- (a) A property owner shall be responsible for all costs for construction of an access or reconstruction of an existing access to a lot or parcel from a public road, including the cost of a permit required by this section, as well as all labor and materials.

- (b) Property owners shall be responsible for all costs for maintaining, repairing, and replacing as necessary any access to their lot or parcel from a public road, including a culvert(s).
 - (c) Any person that damages a culvert shall be responsible for all costs to replace the damaged culvert with a culvert sized to convey a discharge equal to or greater than the capacity of the damaged culvert, subject to approval of the Town Engineer.
8. **Headwalls Prohibited.** Construction or reconstruction of any headwall within a right-of-way shall be prohibited.
9. **Variances.** Exceptions to the provisions of this Section, except as regulated by the Zoning Ordinance, may be applied for in accordance with the following process:
- (a) A property owner shall submit a written request and other information to the Town Clerk explaining the standards from which a variance is sought and demonstrating the need for the variance.
 - (b) The application shall include a non-refundable fee as required by the Town Fee Schedule.
 - (c) The Town Engineer shall review and provide recommendations as to approval of the variance application and any conditions thereof for review by the Planning Commission.
 - (d) Notice of the meeting at which the Planning Commission will consider the variance request shall be noticed to abutting property owners with access to the same public road, including those across a public right-of-way from the property applying for the variance.
 - (e) The Planning Commission shall make a recommendation to the Town Board as to such actions or conditions relating to the request as they deem necessary to carry out the intent and purpose of this Ordinance.
 - (f) Upon receiving the report and recommendation of the Planning Commission and Town staff, the Town Board may approve the variance request, with any conditions it considers necessary to protect the public health, safety, and welfare, or deny the application by majority vote.
 - (g) The Town Clerk shall provide the applicant and property owner with written notice of the Town Board's decision regarding the application.

(h) If a request for variance receives approval of the Town Board, the Town Clerk, at the applicant's expense, shall record such action with Sherburne County.

9. **Enforcement.** Owners of properties with accesses that fail to comply with the provisions of this Section may be required to remove and/or reconstruct such access at their expense, including responsibility for all costs incurred by the Town related to enforcement of this Ordinance and abatement of the violation.

Section 2. Section 1.10 of Ordinance 100 (Parking Restrictions) is hereby repealed in its entirety and subsequent sections renumbered accordingly.

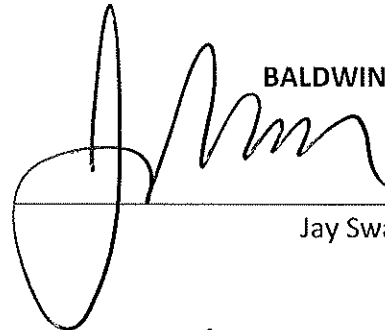
Section 3. This Ordinance shall become effective after passage and publication.

ADOPTED by the Board of Supervisors of Baldwin Township this 4th day of December, 2023.

MOTION BY: *Case*
SECONDED BY: *Rush*
IN FAVOR: *All*
OPPOSED: *None*

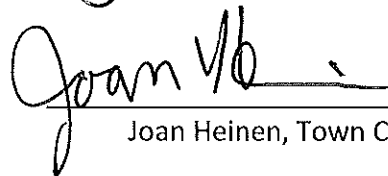
Jeff Holm Absent
Bryan Lawrence Absent
3-0 vote

BALDWIN TOWNSHIP



Jay Swanson, Chair

ATTEST:



Joan Heinen, Town Clerk/Treasurer

EXHIBIT 33

ORDINANCE NO.: 110

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE REGULATING PARKING

THE BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP DOES HEREBY ORDAIN:

Section 1. The Parking Ordinance adopted by the Town Board on December 1, 2003 is hereby repealed in its entirety.

Section 2. The Baldwin Township Parking Ordinance shall read as following

Ordinance 110 PARKING

SECTION:

- 110-1: Purpose:
- 110-2: Definitions
- 110-3: Presumption
- 110-4: General Parking Prohibitions
- 110-5: Overnight Parking
- 110-6: Winter Parking
- 110-7: Immovable Vehicles and Trailers
- 110-8: Recreational Vehicles
- 110-9: Commercial Vehicles
- 110-10: Abandoned Motor Vehicles
- 110-11: Exceptions
- 110-12: Enforcement
- 110-13: Penalty
- 110-14: Severability

110-1: PURPOSE: The Town, in the exercise of its authority over roads, sidewalks, trails, and other public grounds owned by the Town; and to protect public, health, safety, and welfare; does hereby adopt the following regulations for parking upon public roads within the Town.

110-2: DEFINITIONS: the following terms shall have the meanings given them herein for the purpose of this Ordinance:

Boulevard: The portion of the road right-of-way between the curb line or edge of the roadway and the property line.

Motor Vehicle (or vehicle): Any device in or upon or by which any person or property is or may be transported or drawn upon a road, highway, alley, or trail and does include trailers, motorcycles, snowmobiles, bicycles, all-terrain vehicles, golf carts, and all vehicles required to be licensed.

Motor Vehicle, Operable: A motor vehicle able to start and move under its own power and steer, have front and back license plates, and current registration tabs, fully intact windshield, working headlights, taillights, and turn signals, and tires that are inflated according to motor vehicle's standards.

Public Works Supervisor: The person employed by Baldwin Township as the Public Works Supervisor.

Recreational Vehicle:

- A. Any vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses;
- B. Any structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation;
- C. Any portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle; and
- D. Any folding structure, mounted on wheels and designed for travel, recreation, and vacation use.

Right-of-way: Land acquired by reservation or dedication intended for public use, and intended to be occupied or which is occupied by a road, sidewalk, trail, pedestrianway, railroad, utility lines, oil or gas pipeline, water line, sanitary sewer, storm sewer, or other similar uses.

Road: A public roadway providing access by pedestrians and vehicles to abutting properties, whether designated as an avenue, street, highway, road, circle, court, place, lane, boulevard, or parkway, or however otherwise designated.

Roadway: The portion of road right-of-way improved for vehicular travel.

Sidewalk (also trail): A paved path for pedestrians and/or bicycles and similar non-motorized recreational equipment at the side of a roadway.

Town or Township: Baldwin Township, Minnesota.

Town Board: The Baldwin Township Board of Supervisors.

110-3: PRESUMPTION. As to any vehicle parking in violation of this Ordinance when the driver thereof is not present, it shall be presumed that the owner parked the same or that the driver was acting as the agent of the owner.

110-4: GENERAL PARKING PROHIBITIONS:

- A. **Obstructing Any Road or Public Right-of-Way:** No vehicle shall be parked, permitted to stand, or obstruct any road or public right-of-way within the Town in any of the following places:
1. Within an intersection;
 2. On or within 20 feet of a crosswalk at any intersection;
 3. Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of the roadway;
 4. Within 50 feet of the nearest rail of railway crossing;
 5. In a location that is not parallel to the curb or edge of a public road, unless legally designated;
 6. Greater than five feet from the curb or edge of a public road unless legally designated and no portion of a parked vehicle may extend beyond 10 feet from the curb or edge of the public road;
 7. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 8. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
 9. At any place where official signs prohibit or restrict stopping, parking or both;
 10. Within the public right-of-way on any boulevard which has been curbed or within the ditch of a rural section roadway, unless within a residential driveway not exceeding 24 feet wide when the distance between the garage

and the road right-of-way is less than 12 feet and the intrusion does not extend to within 5 feet of the traveled roadway;

11. Between any adjacent parallel roadways which are part of a road or highway.
12. Those areas as specified by Minnesota Statutes 169.34.

B. Parking Zones:

1. The Town Board may, by resolution, designate roads, or portions thereof, as no parking zones, fire lanes, or as five minute, 10 minute, 15 minute, 30 minute, one hour, two hour, or three hour parking zones, which unless otherwise provided within the resolution, such restrictions shall apply every day of the week, including Saturdays, Sundays, and holidays.
2. The Public Works Supervisor is authorized to prohibit parking of all vehicles for temporary periods in case of emergency, street maintenance, or public events at any place within the town.
3. All designated zones pursuant to this subsection 1 and Section 2 of this Section shall be appropriately marked at the direction of the Public Works Supervisor.

110-5: OVERNIGHT PARKING. Except in areas designed for such parking by signs erected by the Town or as may be allowed by approval of the Town Board, no person shall:

1. Park a vehicle upon a public road in the Town for more than 24 consecutive hours.
2. Park a vehicle upon a Town owned parking lot or other Town owned property for any purpose, including camping, between the hours of 10:00 P.M. and 6:00 A.M.

110-6: WINTER PARKING. No vehicle shall be parked upon any public roads, boulevards, ditches, and rights-of-way in the Town between November 1 and April 30, including, but not limited to, Saturdays, Sundays, and holidays.

110-7: IMMOVABLE VEHICLES AND TRAILERS. Vehicles and trailers incapable of movement under their own propulsion shall not be parked or stored on public roads, boulevards, ditches, and rights-of-way within the Town.

110-8: RECREATIONAL VEHICLES. It is unlawful for any person to leave or park a recreational camping vehicle on or within the limits of any road or right-of-way for a continuous period in excess of 24 hours, during which said vehicles shall not be occupied as living quarters.

110-9: COMMERCIAL VEHICLES. Parking of vehicles Class 3 or gross vehicle weight of 14,001 pounds or larger and commercially licensed trailer upon residential public roads is prohibited except when such vehicle is engaged in loading and unloading or rendering service to the adjacent property or as otherwise allowed by this Ordinance.

110-10: ABANDONED MOTOR VEHICLES: Any vehicle that remains upon any public road in the Town for more than 48 consecutive hours, or any vehicle lacking vital component parts or is in an inoperable condition such that it has no substantial potential for further use consistent with its usual functions as defined by Minnesota Statutes 168B.011, Subd. 2, shall be deemed to be abandoned and may be immediately removed in accordance with this Ordinance.

110-11: EXCEPTIONS: This Ordinance shall not apply to the following circumstances:

- A. Town vehicles parked in connection with official business.
- B. Law enforcement, fire, and medical emergency vehicles, or public or private utility vehicles parked in connection with official duties.

110-12: ENFORCEMENT:

- A. Any vehicle parked in violation of this Ordinance ~~is declared a nuisance and~~ may be summarily abated by impounding the vehicle by or under the direction or at the request of the Sherburne County Sheriff's Office or Public Works Supervisor in accordance with Minnesota Statutes 168B.04.
- B. Before the owner or their agent is permitted to remove a vehicle from the place of storage, the owner shall:
 - 1. Furnish satisfactory evidence to the person in charge of the storage area of their identity and ownership of the vehicle; and
 - 2. Pay any charge for the towing and storage of the vehicle.

110-13: PENALTY: Any person violating any of the provisions of this Ordinance shall be guilty of a petty misdemeanor punishable by up to the maximum sentence allowed by law for such offense.

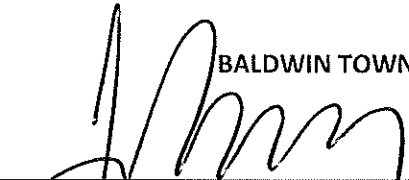
110-14: SEPARABILITY: If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provisions of this Ordinance not specifically included in said judgment.

Section 2. This Ordinance shall become effective after passage and publication.


ADOPTED by the Board of Supervisors of Baldwin Township this 4th day of December, 2023.

MOTION BY: *Rush*
SECONDED BY: *Case*
IN FAVOR: *All*
OPPOSED: *none*

Jeff Holm Absent
Bryan Lawrence Absent
3-0 vote


BALDWIN TOWNSHIP

Jay Swanson, Chair

ATTEST:


Joan Heinen, Town Clerk/Treasurer

EXHIBIT 34

BALDWIN TOWNSHIP SHERBURNE COUNTY, MINNESOTA Ordinance No. 200

AN ORDINANCE ESTABLISHING A PLANNING COMMISSION

The board of supervisors of the Town of Baldwin ordains:

SECTION I. Baldwin Township Planning Commission.

Section 1. Establishment. A planning commission is hereby established for Baldwin Township ("Town") pursuant to Minnesota Statute, section 462.354. The planning commission shall serve as the Town's planning agency and shall be known as the Baldwin Township Planning Commission ("Commission"). The Commission shall serve in an advisory capacity to the Town Board.

Section 2. Composition. The Commission shall consist of up to seven (7) voting members, which may include one or more Town officers. A majority of members constitutes a quorum to conduct the Commission's business. Each Commission member, including the Chair and Vice-Chair, shall have one vote on all matters acted upon by the Commission. A member must be present at a meeting to vote.

Section 3. Appointment, Vacancies and Removal. The Town Board shall appoint the Commission members. Vacancies occurring on the Commission shall be filled by Town Board appointment for the remainder of the term of the position.

Section 4. Term. Commission members are appointed for a term of 3 years and until a successor is appointed and qualifies. Terms expire on April 1st. Commission members serve at the pleasure of the Town Board and may be removed by the Town Board at any time without needing to state a cause. The Town Board shall stagger the terms of Commission members as it determines is appropriate to minimize the number of Commission positions expiring in the same year.

Section 5. Officers and Duties. The Commission shall appoint from among its members a Chair and Vice-Chair. The Chair shall be the presiding officer for Commission meetings and shall sign documents on behalf of the Commission as needed. The Vice-Chair shall conduct the duties of the Chair in the Chair's absence. The Commission shall also have a secretary. If the Town Board directs the Town Clerk-Treasurer to serve as the Secretary, the Secretary shall not be a voting member of the Commission. If the Town Board leaves it to the Commission to appoint a Secretary from among its members, the Secretary shall have a vote. The Secretary shall provide notices, keep records of the Commission's proceedings, and countersign the Chair's signature on Commission documents.

Section 6. Compensation. The Town Board shall determine if members will be compensated for their service on the Commission, determine the amount of compensation

if provided, and set a policy for reimbursing expenses incurred in carrying out the Commission's duties.

Section 7. Rules and Procedures. The Commission may adopt rules and procedures related to how it conducts its meetings and hearings.

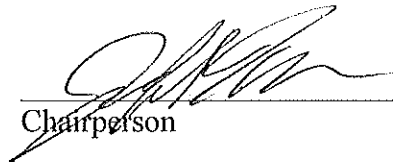
Section 8. Meetings. The Commission shall hold regular meetings as needed. The Chair or Vice-Chair, along with the consent of at least one other Commission member, may call special meetings as needed to conduct the Commission's business.

Section 9. Commission Powers and Duties. The Commission shall have the powers and duties provided it by Minnesota Statutes, chapter 462 and such other powers and duties as the Town Board may delegate to it. Unless directed otherwise by the Town Board, the Commission shall be responsible for conduct such hearings as may be required by law or by ordinance to implement and administer the Town's official controls.

SECTION II. Effective Date. This ordinance shall be effective upon adoption and the first day of publication after adoption.

Adopted this 7th day of March 2011.

BY THE TOWN BOARD



Chairperson

Attest: Cathy Stevens
Clerk-Treasurer

EXHIBIT 35

**BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA
Ordinance No. 200 – 11/04/2013 R1**

AN ORDINANCE ESTABLISHING A PLANNING COMMISSION

The board of supervisors of the Town of Baldwin ordains:

SECTION I. Baldwin Township Planning Commission.

Section 1. Establishment. A planning commission is hereby established for Baldwin Township (“Town”) pursuant to Minnesota Statute, section 462.354. The planning commission shall serve as the Town’s planning agency and shall be known as the Baldwin Township Planning Commission (“Commission”). The Commission shall serve in an advisory capacity to the Town Board.

Section 2. Composition. The Commission shall consist of up to five (5) to seven (7) landowners who are residents to be appointed by the Baldwin Town Board of Supervisors. In the first instance, three members of said Planning Commission shall be appointed for one year, two members for two years, and two members for three years. One township supervisor will be a representative from the Baldwin Township Board of Supervisors and will act in an ex-official capacity. An appointment to fill a vacancy shall be only for the unexpired portion of the term. A Planning Commission quorum shall consist of a majority of the members in attendance to conduct the business of the Commission (meaning those that presently constitute the full Planning Commission). Each Commission member, including the Chair and Vice-Chair, shall have one vote on all matters acted upon by the Commission. A member must be present at a meeting to vote.

Section 3. Appointment, Vacancies and Removal. The Town Board shall appoint the Commission members. Vacancies occurring on the Commission shall be filled by Town Board appointment for the remainder of the term of the position.

Section 4. Term. Commission members are appointed for a term of 3 years and until a successor is appointed and qualifies. Terms expire on April 1st. Commission members serve at the pleasure of the Town Board and may be removed by the Town Board at any time without needing to state a cause. The Town Board shall stagger the terms of Commission members as it determines is appropriate to minimize the number of Commission positions expiring in the same year.

Section 5. Officers and Duties. The Commission shall appoint from among its members a Chair and Vice-Chair. The Chair shall be the presiding officer for Commission meetings and shall sign documents on behalf of the Commission as needed. The Vice-Chair shall conduct the duties of the Chair in the Chair’s absence. The Commission shall also have a secretary. If the Town Board directs the Town Clerk-Treasurer to serve as the Secretary, the Secretary shall not be a voting member of the Commission. If the

Town Board leaves it to the Commission to appoint a Secretary from among its members, the Secretary shall have a vote. The Secretary shall provide notices, keep records of the Commission's proceedings, and countersign the Chair's signature on Commission documents.

Section 6. Compensation. The Town Board shall determine if members will be compensated for their service on the Commission, determine the amount of compensation if provided, and set a policy for reimbursing expenses incurred in carrying out the Commission's duties.

Section 7. Rules and Procedures. The Commission may adopt rules and procedures related to how it conducts its meetings and hearings.

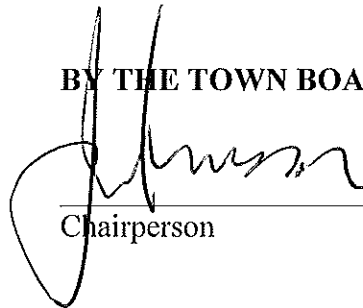
Section 8. Meetings. The Commission shall hold regular meetings as needed. The Chair or Vice-Chair, along with the consent of at least one other Commission member, may call special meetings as needed to conduct the Commission's business.

Section 9. Commission Powers and Duties. The Commission shall have the powers and duties provided it by Minnesota Statutes, chapter 462 and such other powers and duties as the Town Board may delegate to it. Unless directed otherwise by the Town Board, the Commission shall be responsible for conduct such hearings as may be required by law or by ordinance to implement and administer the Town's official controls.

SECTION II. Effective Date. This ordinance shall be effective upon adoption and the first day of publication after adoption.

Adopted this 7th day of March 2011.

BY THE TOWN BOARD



Chairperson

Attest:



Clerk-Treasurer

EXHIBIT 36

**BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA**

ORDINANCE NO. 201

**AN ORDINANCE AMENDING SECTION 2 OF THE BALDWIN TOWNSHIP
ORDINANCE ESTABLISHING A PLANNING COMMISSION**

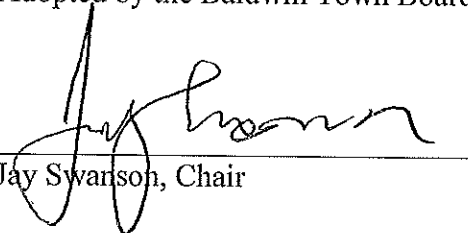
**THE TOWN BOARD OF SUPERVISORS OF THE TOWNSHIP OF BALDWIN
ORDAINS:**

Section 2. Composition. The Commission shall consist of five – seven landowners who are residents to be appointed by the Baldwin Town Board of Supervisors. In the first instance, three members of said planning commission shall be appointed for one year, two members for two years, and two members for three years. One Township Supervisor will be a representative from the Baldwin Township Board of Supervisors and will act in an ex-official capacity. An appointment to fill a vacancy shall be only for the un-expired portion of the term. A majority of members constitutes a quorum to conduct the Commission's business. Each Commission member, including the Chair and Vice-Chair, shall have one vote on all matters acted upon by the Commission. A member must be present at a meeting to vote.

In Favor of: *ATWOOD, GOOD, HANDSHOE, RUSH, SWANSON*

Opposed: *NONE.*

Adopted by the Baldwin Town Board this 21st day of August 2012.


Jay Swanson, Chair

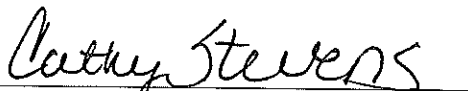
Attest: 
Cathy Stevens, Clerk-Treasurer

EXHIBIT 37

BALDWIN TOWNSHIP COUNTY OF SHERBURNE STATE OF MINNESOTA

ORDINANCE No. 300

TO ESTABLISH EMERGENCY ADDRESS IDENTIFICATION

THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF BALDWIN ORDAIN AS FOLLOWS:

Whereas, in order to provide proper protection of public and private property in the Town of Baldwin, and to readily identify each property in the Town to best provide law enforcement, medical emergency, and fire protection the Town Board of Supervisors have deemed that it is necessary to require visible Property Identification Numbers at each separate residential, commercial, and industrial building and do hereby adopt the following ordinance.

Section 1. Specifications of Identification. All residential, commercial and industrial property shall be identified at the edge of the street or road by a sign with assigned Property Identification Numbers. The property identification number is a property address number assigned by the county. The signs should be approximately eight-inches in height and 16-inches in length, reflective, displaying Township name at the top and street name at the bottom and visible by approach from both directions on the street or road. The numbers on these signs need to be a minimum of 4-inches in height. The Township and street names need to be a minimum of 1-inch in height. Such signs will be placed unobstructed at the driveway or entrance way to such building or dwelling not less than four feet nor more than five feet above road grade and not less than three feet nor more than eight feet from the road edge, on the same side of the road as the dwelling or building. The address sign shall face the dwelling on the same side of the road as the dwelling. Fire number signs will be installed within the township's right-of-way.

Section 2. Obtaining Signs Fees. To bring existing homes (those constructed prior to the effective date of the Ordinance) into compliance with this new ordinance, and to effectively save property owners on the cost of the minimum signage necessary to comply with this ordinance, the sign, post, bolts, and installation will be assessed to each property. If any structure remains unnumbered, the owners must contact the Town Hall within 30 days after the Township completes the installation to request a sign.

With new developments, when a plat, lot split or other subdivision of land is submitted to the County for addressing, the County would then forward the address information on to the Township to place an order for the signs. The developer or builder for new developments would be responsible for the current cost of the sign, post, bolts, and installation as specified in the Developer's Agreement. Any individual, builder, or

developers building a new structure will be responsible for these costs. The installation shall be completed by the Township.

Section 3. Replacement Signs. If a sign becomes damaged or lost and needs to be replaced, the affected property owner shall contact the Town Clerk and make application for a new sign. The owner shall pay the then current costs for a replacement sign, post, bolts and installation. If full payment is not made at time of application, no replacement sign will be ordered or installed until the owner has signed a written agreement to pay the current costs within thirty days of billing by the Township, and agreeing to have any unpaid amount assessed, with interest and costs, against the property and waiving all right of hearing and rights of appeal. In the event of nonpayment, the Township will certify the unpaid amount plus interest and any costs incurred by the Township as a special assessment against the property. The property owner shall notify the Township of any sign damage or loss within 30 days after it has occurred.

Section 4. Compliance. All structures within the Township shall have their Property Identification Number posted at all times and in the proper position.

Section 5. Owner Responsibilities.

Property owners shall be responsible for the following:

- **Maintaining the area around the fire number sign so that shrubbery, trees, brush, weeds, or other items do not obscure the visibility of the sign.**
- **Ensuring signs remain free of dirt or snow.**
- **Ensuring that nothing is attached to the fire signpost other than the fire sign.**
- **Notifying a Town official when a sign is missing or damaged beyond repair. Such notification shall be within 48 hours of the occurrence.**

Section 6. Notification of Non-Compliance. Once recognized by the Township as being in non-compliance the Town Clerk or designated staff will notify in writing any property owner not in compliance with this ordinance, and require compliance within 30 days.

Section 7. Enforcement. Any person, firm, or corporation or other entity that violates any of the provision hereof, or who fails to comply with any of the provisions hereof, shall be guilty of a misdemeanor and, upon conviction, shall be punished pursuant to the State Statues for a misdemeanor existing at the time of conviction, plus costs of prosecution. The Township may, at its discretion, pursue any other legal remedy available to it, including injunctive relief.

Section 8. Provisions Severable. Should any section or provision of this ordinance be declared invalid, such decisions shall not affect the validity of the remaining portions of this ordinance.

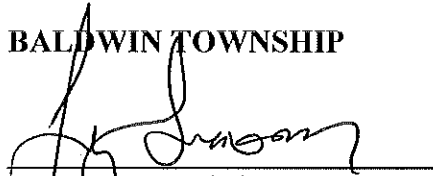
Section 9. Effective Date. This Ordinance shall be in effect from and after its passage and publication according to law.

PASSED by the Town Board of Baldwin Township this 12th day of September.

IN FAVOR: Swanson, Atwood, Good, Handshoe, Rush

OPPOSED: None.

BALDWIN TOWNSHIP



Jay Swanson, Chair



Cathy Stevens, Clerk/Treasurer

EXHIBIT 38

BALDWIN TOWNSHIP COUNTY OF SHERBURNE STATE OF MINNESOTA

ORDINANCE No. 301 – 09/10/2012 R1

TO ESTABLISH EMERGENCY ADDRESS IDENTIFICATION

THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF BALDWIN ORDAIN AS FOLLOWS:

Whereas, in order to provide proper protection of public and private property in the Town of Baldwin, and to readily identify each property in the Town to best provide law enforcement, medical emergency, and fire protection the Town Board of Supervisors have deemed that it is necessary to require visible Property Identification Numbers at each separate residential, commercial, and industrial building and do hereby adopt the following ordinance.

Section 1. A. Specifications of Identification. All residential, commercial and industrial property shall be identified at the edge of the street or road by a sign with assigned Property Identification Numbers. The property identification number is a property address number assigned by the county. The signs should be overall blue in color with white lettering approximately eight-inches in height and 16-inches in length, reflective, displaying Township name at the top and street name at the bottom and visible by approach from both directions on the street or road. The numbers on these signs need to be a minimum of 4-inches in height. The Township and street names need to be a minimum of 1-inch in height. Such signs will be placed unobstructed at the driveway or entrance way to such building or dwelling not less than three feet nor more than eight feet from the road edge, on the same side of the road as the dwelling or building. As standard practice the sign height will be not less than four feet nor more than five feet above road grade however certain circumstances or situations may require deviations in sign height, post length and or placement. The address sign shall face the dwelling on the same side of the road as the dwelling. Fire number signs will be installed within the township's right-of-way.

1. B. Private Roads. Where private roads are encountered during installation there will be a post placed in accordance with Section 1-A at the entrance to the roads within the road right-of-way containing multiple signs not to exceed 3- 4 signs per post. If there are more than 3-4 parcels on the private road enough posts shall be utilized to accommodate the necessary signs. To ensure adequate clearance for snow storage the minimum and maximum heights may vary as necessary. The township will not enter upon any private property to do installations. Should a resident or residents on private roads want an EMS sign at their driveway they may purchase the signs, posts and hardware from the township at the then current cost for replacement signs. It then is the property owner's responsibility to install the sign in accordance to rules and regulations that may apply by association covenants or other restrictions. The Township signs will remain at the entrance to the private roads.

1. C. The Sherburne Country Mobile Home Park. This facility is seen as an exception to normal installation procedures. Whereas the mobile home sites are such that the proximity between them and the private nature of the situation, the Sherburne Country maintenance person will affix the address signs to each dwelling individually. The installed location shall be so they are clearly visible from the passing street. Replacement signs or future signs will be paid for by the property owner in accordance with Section 3 replacement signs.

1. D. Post Covers. Whereas there has been interest in post covers they are not mandatory nor will they be provided by the township. Post covers may be purchased and installed by the property owner but the covers shall not cover any numbers or letters on the sign or impede in any way the intent of the purpose of the sign.

Section 2. Obtaining Signs Fees. To bring existing homes (those constructed prior to the effective date of the Ordinance) into compliance with this new ordinance, and to effectively save property owners on the cost of the minimum signage necessary to comply with this ordinance, the sign, post, bolts, and installation will be funded from the safety monies generated from traffic citations. If any structure remains unnumbered, the owners must contact the Town Hall within 30 days after the Township completes the installation to request a sign. Once the initial installation is deemed complete by the Township Board there will be a 120 day period given to comply with sign installation under the safety monies. Thereafter all costs will be incurred by the property owner at the then current replacement cost for replacement signs.

With new developments, when a plat, lot split or other subdivision of land is submitted to the County for addressing, the County would then forward the address information on to the Township to place an order for the signs. The developer or builder for new developments would be responsible for the current cost of the sign, post, bolts, and installation as specified in the Developer's Agreement. Any individual, builder, or developers building a new structure will be responsible for these costs. The installation shall be completed by the Township.

Section 3. Replacement Signs. If a sign becomes damaged or lost and needs to be replaced, the affected property owner shall contact the Town Clerk and make application for a new sign. The owner shall pay the then current costs for a replacement sign, post, bolts and installation. If full payment is not made at time of application, no replacement sign will be ordered or installed until the owner has signed a written agreement to pay the current costs within thirty days of billing by the Township, and agreeing to have any unpaid amount assessed, with interest and costs, against the property and waiving all right of hearing and rights of appeal. In the event of nonpayment, the Township will certify the unpaid amount plus interest and any costs incurred by the Township as a special assessment against the property. The property owner shall notify the Township of any sign damage or loss within 30 days after it has occurred.

Section 4. Compliance. All structures within the Township shall have their Property Identification Number posted at all times and in the proper position.

Section 5. Owner Responsibilities.

Property owners shall be responsible for the following:

- **Maintaining the area around the fire number sign so that shrubbery, trees, brush, weeds, or other items do not obscure the visibility of the sign.**
- **Ensuring signs remain free of dirt or snow.**
- **Ensuring that nothing is attached to the fire signpost other than the fire sign.**
- **Notifying a Town official when a sign is missing or damaged beyond repair. Such notification shall be within 48 hours of the occurrence.**

Section 6. Notification of Non-Compliance. Once recognized by the Township as being in non-compliance the Town Clerk or designated staff will notify in writing any property owner not in compliance with this ordinance, and require compliance within 30 days.

Section 7. Enforcement. Any person, firm, or corporation or other entity that violates any of the provision hereof, or who fails to comply with any of the provisions hereof, shall be guilty of a misdemeanor and, upon conviction, shall be punished pursuant to the State Statues for a misdemeanor existing at the time of conviction, plus costs of prosecution. The Township may, at its discretion, pursue any other legal remedy available to it, including injunctive relief.

Section 8. Provisions Severable. Should any section or provision of this ordinance be declared invalid, such decisions shall not affect the validity of the remaining portions of this ordinance.

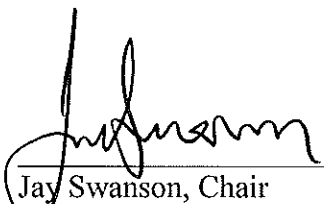
Section 9. Effective Date. This Ordinance shall be in effect from and after its passage and publication according to law.

PASSED by the Town Board of Baldwin Township this 10th day of September, 2012.


IN FAVOR: Swanson, Atwood, Good, Handshoe, Rush

OPPOSED: None.

BALDWIN TOWNSHIP



Jay Swanson, Chair



Cathy Stevens, Clerk/Treasurer

EXHIBIT 39

TOWN OF BALDWIN SHERBURNE COUNTY, MINNESOTA ORDINANCE NO. 400

ANIMAL CONTROL ORDINANCE

The Board of Supervisors of the Town of Baldwin ordains:

The Town Board for the Town of Baldwin, Sherburne County, Minnesota, in order to provide for the health, welfare and safety of the people of the Town of Baldwin and in order to provide for the regulation and protection of dogs and other animals, hereby adopts this animal control ordinance (this "Ordinance") pursuant to its authority under Minnesota Statutes, section 368.01, subdivisions 13 & 19, and such other law as may apply.

Section 1. Definitions. For purposes of this Ordinance, the following terms shall have the definitions given to them in this section.

- A. "Animal Control Authority" means Baldwin Township for the purposes of administering and enforcing regulations related to dangerous dogs and potentially dangerous dogs pursuant to state law and County Ordinance Number 150 (as it may be amended).
- B. "Animal Warden" means the governmental subdivision or person(s) designated by the Town or with whom the Town has contracted to enforce the provisions of this Ordinance.
- C. "At large" means a dog that is off the property of the person owning, harboring, or keeping said domestic pet and it is not under restraint.
- D. "Citation" means a notice or complaint issued by the Animal Warden to the owner of any animal apprising said owner of one or more violations of this Ordinance.
- E. "Commercial Kennel" means a place where more than three (3) dogs of over six (6) months of age are kept for purposes of breeding, sale or boarding.
- F. "Dangerous Dog" and "Potentially Dangerous Dog" have the meanings given by Minnesota Statutes, section 347.50 subdivisions 2 and 3, respectively.
- G. "Habitually Barking Dog" means any dog that does any of the following when the noises it creates are audible off of the premises where the dog is being kept: i) barks, whines, yelps, howls, cries or makes other similar noises for a period of five minutes or more, with less than 1 minute intervals between noises; or ii) that barks, whines, yelps, howls, cries or makes other similar noises between the hours of 10:00 p.m. and 7:00 a.m., regardless of frequency.
- H. "Large Animal" means any equine animal (including, but not limited to, a horse, stallion, mare, gelding, filly, colt, or mule), any species of the bovine family (including, but not limited to, any cow, calf, steer, or bull), any llama, sheep, ram, ewe, lamb, and any goat, billy, nanny, or kid, or an emu, ostrich, or rhea.
- I. "Owner" means any person owning, harboring or keeping a dog or other

domesticated animal.

- J. "Person" means any individual, firm, partnership or corporation.
- K. "Premises" means any building, structure, shelter or land whereupon animals are kept or confined.
- L. "Public Nuisance Animal" means any domestic pet that:
 - 1. Is repeatedly found at large;
 - 2. Damages the property of anyone other than its owner;
 - 3. Is a vicious animal(s);
 - 4. Causes fouling of the air by odor;
 - 5. Causes unsanitary conditions of enclosures or surroundings;
 - 6. Is offensive or dangerous to the public health, safety or welfare;
 - 7. Excessively makes disturbing noises;
 - 8. Molests passer(s) by or passing vehicles;
 - 9. Attacks other domestic animals; or
 - 10. Has been designated by the Animal Warden to be a public nuisance animal or animals by virtue of being a menace to the public health, welfare and safety.
- M. "Town" means Baldwin Township, Sherburne County, Minnesota.
- N. "Under Restraint" means a dog that is: on the premises of the Owner or the person harboring or keeping the dog; at heel beside a person having custody of it or obedient to that person's command; within a private motor vehicle of a person owning, harboring or keeping the dog; or, controlled by a leash not exceeding six (6) feet in length.
- O. "Vicious Animal" means any animal, other than a dog, posing a threat to human beings or other animals by virtue of one or more attacks of such severity as to cause property damage or physical injury.

Section 2. Noisy Animals/Disturbing the Peace. Habitually Barking Dogs are hereby declared to be a public nuisance. No owner shall keep or harbor a Habitually Barking Dog within the Town. This section does not apply to on-duty police dogs or to duly authorized hospitals or clinics established and operating for the treatment of dogs. No citation shall be issued except after written notice has been mailed or delivered to the occupant of the premises where such dog is kept or harbored advising that a complaint has been made about the dog and calling attention to the provisions of this Ordinance.

Section 3. Dangerous and Potentially Dangerous Dogs. "Dangerous Dogs" and "Potentially Dangerous Dogs" are defined and regulated by Minnesota Statutes, sections 347.50 through 347.565. With regard to dangerous dogs and potentially dangerous dogs, Sherburne County is the "Animal Control Authority" for the Town pursuant to Minnesota Statutes, section 347.50, subdivision 7 and Sherburne County Ordinance Number 150. The Town will contact the Animal Control Authority when it learns of dangerous or potentially dangerous dogs.

Section 4. Running at Large Prohibited. No Owner shall permit a dog to be at large within the Town and every owner of a dog shall cause the same to be:

- A. Confined to the owner's property by training, fencing, or leashing. Females in heat shall be confined in an enclosure until they no longer attract other dogs.
- B. While in any public place such as a school, playground, or a park to be on a leash, chain or cord of not more than six (6) feet in length and in the custody of a person of sufficient age to adequately control the dog at all times.
- C. While in all other areas such as on a public street or in an automobile, to be in the custody of a person of sufficient age to adequately control the dog at all times.

Any dog at large may be impounded by the Town as provided in this Ordinance and may be destroyed if not timely redeemed as provided in Section seventeen (17) below.

Section 5. Leash and Control. The restrictions imposed by Section 4 shall not prohibit a dog upon the streets or other public property when such dog is on a leash or under restraint.

Section 6. Enforcement. The provisions of this Ordinance shall be enforced by the Animal Warden or the Animal Control Authority, if applicable, under Section 3 of this Ordinance.

Section 7. Right of Entry. The Animal Warden shall have the right to enter upon any private property at all reasonable times for the purpose of discharging the duties imposed by this Ordinance, provided that the Animal Warden has the consent of the property owner to enter the property; an administrative search warrant allowing entry onto the property; or a court order allowing entry onto the property. If the Animal Warden does not have consent, a warrant or a court order allowing entry, the Animal Warden shall only enter private property in an emergency situation.

Section 8. Records. The Animal Warden must keep the following records, subject to inspection by the Town Board or its designated agents:

- A. Accurate and detailed records of the licensing, impoundment, and disposition of dog(s) coming into custody;
- B. Accurate and detailed records of all reported bite cases and investigations for a period of three (3) years;
- C. Accurate records of all citations issued for violations of this Ordinance; and
- D. Accurate and detailed records of all money collected and expended in the operation of the functions of his/her office.

Section 9. Impoundment Notice. Any dog impounded under the provisions of this Ordinance shall be kept in a pound for a period of at least five (5) days after a notice of such impounding has been posted in the Town Hall. If the owner of the dog is known, then the Township shall make reasonable effort to notify the owner of the impoundment. All impounded dogs shall be fed and treated in a humane manner.

Section 10. Confinement of Vicious Animals. Vicious animals must be confined within a building

or secure covered enclosure. Such animals shall not be taken out of such building or secure covered enclosures unless under control of the owner or custodian of the animal.

Section 11. Abandonment. It shall be unlawful to abandon any dog or other animal within the Town.

Section 12. Impounding Dogs or Other Animals.

- A. The Animal Warden may seize and impound any at-large dog or other animal. The Animal Warden may enter upon private premises in pursuit of a dog or animal running at large.
- B. It is unlawful for any person to interfere with the Animal Warden when engaged in the pursuit or impounding of a dog or other animal or to refuse to surrender such dog or animal to the Animal Warden.
- C. If the owner of the premises on which an at-large dog or animal is found demands impoundment, the owner must agree in writing to indemnify and hold harmless the Town from any claims for damages by the owner of said dog.
- D. The Town shall not be responsible for any extraordinary medical expenses related to an impounded animal.
- E. Within one (1) day of impounding a dog, the Animal Warden shall post at the front door of the Town Hall a Notice of Impoundment in the form established by the Town Board. If the owner of the dog is known, the Animal Warden must give the owner the Notice of Impoundment by mail or personal service.
- F. Disposition of an impounded dog or animal shall thereafter be handled pursuant to the provisions of Section 17 of this Ordinance.

Section 13. Diseased Dogs and Other Animals.

- A. Any dog or other animal displaying symptoms of being rabid may be seized at any place or time and shall be confined in the Town dog pound, or other appropriate place designated by the Town Board, at the expense of the owner, until found to be free from rabies.
- B. If any dog or other animal appears to be diseased, vicious, rabid, or has been exposed to rabies, and such dog or animal cannot be impounded without serious risk, such dog or animal may be killed if reasonably necessary for the safety of any person or persons.
- C. When any dog or other animal has bitten any person, wherein the skin has been punctured or the service of a doctor is required, a report of the incident shall be made to the Town by the owner or custodian of the biting dog or animal, or the person bitten or his/her parent or guardian within twenty-four (24) hours of the bite.

Section 14. Nuisance Animals. No person shall keep, own, harbor or otherwise possess within the Town a dog or other animal which is a public nuisance animal as defined in this Ordinance.

Section 15. Redemption of Dogs and Other Animals. The Town may condition redemption of a dog or other animal from impounding upon payment of the required impounding fee, the cost of boarding for each day the dog or animal was confined, any medical fees incurred to care for the animal. Fees will be paid directly to the Township. If the dog or other animal needs a rabies vaccination, then payment for the vaccination must also be paid before the dog or animal may be redeemed. If at the end of five (5) days after impounding, the dog or other animal has not been redeemed, it may be sold at a private sale, or the Animal Warden may dispose of the dog or animal in a humane manner or pursuant to the terms of Minnesota Statutes, section 35.71, but not using any methods prohibited by Minnesota Statutes, sections 343.27 or 343.37.

Section 16. Interference with Officers. It shall be unlawful for any unauthorized person to break open the pound or attempt to do so, or to take or let out any dogs therefrom, or to take or attempt to take from any officer or agent, any dog taken up in compliance with this Ordinance or in any manner to interfere with or hinder such officer or agent in the discharge of duties under this Ordinance.

Section 17. Minimum Lot Size for Keeping Large Animals. No person shall house a Large Animal unless the lot or parcel on which the animal is kept contains at least one acre of land (excluding buildings) for each Large Animal kept on the lot or parcel.

Section 18. Penalty. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor punishable by up to the maximum sentence allowed by law for such offense.

Section 19. Repealer. This Ordinance supersedes and replaces the previously adopted By-Laws for the Regulation of Dogs, which is hereby repealed, and any other Town ordinances or regulations to the extent they are inconsistent with the provisions of this Ordinance.

Section 20. Effective. This Ordinance shall be effective upon adoption and the first day of publication.

Adopted this 17th day of January, ~~2011~~ ²⁰¹².


Town Clerk-Treasurer

BY THE TOWN BOARD

Town Chairperson

EXHIBIT 40

ORDINANCE NO.: 400-1

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE ANIMAL CONTROL ORDINANCE.

THE BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP DOES HEREBY ORDAIN:

Section 1. Ordinance 400 is hereby repealed in its entirety and amended to read as follows:

Ordinance 400 ANIMAL CONTROL

SECTION:

- 400-1-1: Purpose
- 400-1-2: Definitions
- 400-1-3: Keeping Animals
- 400-1-4: Public Nuisances
- 400-1-5: Dangerous and Potentially Dangerous Dogs
- 400-1-6: Disturbing the Peace
- 400-1-7: Running at Large Prohibited
- 400-1-8: Diseased Dogs
- 400-1-9: Abandonment
- 400-1-10: Impoundment
- 400-1-11: Interference with Officers
- 400-1-12: Administration
- 400-1-13: Penalty
- 400-1-14: Severability

400-1-1: PURPOSE: The Town Board for the Town of Baldwin, Sherburne County, Minnesota, in order to provide for the health, welfare and safety of the people of the Town of Baldwin and in order to provide for the regulation and protection of dogs and other animals, hereby adopts this animal control ordinance (this "Ordinance") pursuant to its authority under Minnesota Statutes 368.01, Subd. 13 and 19, and such other law as may apply.

400-1-2: DEFINITIONS: For the purposes of this Ordinance, the following terms shall have the definitions given to them in this section.

Animal Control Authority: Sherburne County for the purposes of administering and enforcing regulations related to dangerous dogs and potentially dangerous dogs pursuant to state law and County Ordinance Number 150 (as it may be amended).

Animal Warden: Town staff, Sherburne County Sheriff's Office, or other person(s) designated by the Town Board to administer and enforce the provisions of this Ordinance.

At large: A dog that is off property of the person owning, harboring, or keeping said domestic pet and it is not under restraint.

Citation: A notice or complaint issued by the Animal Warden to the owner of any animal apprising said owner of one or more violations of this Ordinance.

Dangerous Dog: A dog defined by the meanings given by Minnesota Statutes, section 347.50 subdivision 2.

Domestic Animals: House pets such as dogs, cats, traditional and typical animal pets, and birds (not including pigeons, chickens, geese, turkeys or other domestic fowl) which can be contained within a principal structure throughout the entire year; provided, that the containment can be accomplished without special modification to the structure requiring a building permit from the Town. In addition, the term includes rabbits normally sheltered outside the home.

Farm Animals: Cattle, hogs, bees, sheep, goats, chickens, turkeys, horses and other animals traditionally and commonly accepted as farm animals in the State of Minnesota.

Habitually Barking Dog: Any dog that does any of the following when the noises it creates are audible off of the premises where the dog is being kept: i) barks, whines, yelps, howls, cries or makes other similar noises for a period of five minutes or more, with less than one minute intervals between noises; or ii) that barks, whines, yelps, howls, cries or makes other similar noises between the hours of 10:00 p.m. and 7:00 a.m., regardless of frequency.

Kennel, Commercial: Any place where four or more dogs over six months of age are owned, kept, boarded, bred and/or offered for sale.

Kennel, Private: Any place where four or more dogs over six months of age are owned or kept for private enjoyment.

Kennel Run: Enclosed area, indoor or outdoor to allow animals to exercise.

Large Animal: Any equine animal (including, but not limited to, a horse, stallion, mare, gelding, filly, colt, or mule), any species of the bovine family (including, but not limited to, any cow, calf, steer, or bull), any llama, sheep, ram, ewe, lamb, and any goat, billy, nanny, or kid, or an emu, ostrich, or rhea.

Owner: Any person owning, harboring or keeping a dog or other animal.

Person: Any individual, firm, partnership or corporation.

Potentially Dangerous Dog: A dog defined by the meanings given by Minnesota Statutes 347.50 Subd. 3.

Premises: Any building, structure, shelter or land whereupon animals are kept or confined.

Public Nuisance: An act or failure to act as defined by Minnesota Statutes 609.74.

Town: Baldwin Township, Sherburne County, Minnesota.

Under Restraint: A dog that is: on the premises of the owner or the person harboring or keeping the dog; at heel beside a person having custody of it or obedient to that person's command; within a private motor vehicle of a person owning, harboring or keeping the dog; or, controlled by a leash not exceeding six feet in length.

400-1-3: KEEPING ANIMALS: The size, number, species, facilities for and location of keeping animals, including dogs, shall be maintained so as not to cause a nuisance or endanger the health, safety, or general welfare of the community and shall be in compliance with this Ordinance and all other applicable ordinances of the Town.

A. Animals allowed:

1. The keeping of domestic animals shall be an allowed use in all zoning districts established by the Zoning Ordinance.
2. The keeping of farm animals shall be only as allowed within the individual zoning districts established by the Zoning Ordinance.
3. The keeping of animals other than those defined as domestic animals or farm animals is prohibited.

B. Facilities for housing animal(s) shall be:

1. Constructed of such material as is appropriate for the animal(s) involved.

2. Maintained in good repair.
 3. Controlled as to temperature, ventilated, and lighted compatible with the health and comfort of the animal(s).
 4. Of sufficient size to allow each animal to make normal postural and social adjustments with adequate freedom of movement; Inadequate space may be indicated by evidence of malnutrition, poor condition of debility, stress, or abnormal behavior patterns.
 5. Cleaned as often as necessary to prevent contamination of the animal(s) contained therein and to minimize disease hazards and reduce odors
 6. Subject to approval of a building permit by the Building Official, as may be required by the Building Ordinance.
- C. Farm animals or large animals shall only be kept on a lot or parcel if such activities are authorized in the zoning district where the animals are to be located and in compliance with the lot requirements established by the Zoning Ordinance.
- D. Commercial Use:
1. Animals may only be kept for commercial purposes if such activities are authorized in the zoning district where the animals are to be located.
 2. Animals kept in pet shops or kennels shall be kept in accordance with regulations for pet shops and kennels in addition to the regulations provided by this Ordinance.
- E. Kennels:
1. The private kennels shall be an allowed accessory use in all zoning districts established by the Zoning Ordinance.
 - a. Up to 10 dogs over six months of age shall be kept on the kennel property, including no more than 10 unsterilized female dogs over six months of age.
 - b. Keeping more than 10 dogs over six months of age within a private kennel shall require approval of an interim use permit subject to the performance standards of a commercial kennel as provided for by the Zoning Ordinance.

2. Commercial kennels shall be only as allowed within the individual zoning districts established by the Zoning Ordinance.

400-1-4: PUBLIC NUISANCES:

- A. The following dogs shall be declared to be a public nuisance:
 1. Is repeatedly found at large;
 2. Is habitually barking.
 3. Damages the property of anyone other than its owner;
 4. Is a vicious animal(s);
 5. Causes fouling of the air by odor;
 6. Causes unsanitary conditions of enclosures or surroundings;
 7. Is offensive or dangerous to the public health, safety or welfare;
 8. Excessively makes disturbing noises;
 9. Molests passer(s) by or passing vehicles;
 10. Attacks other domestic animals; or
 11. Has been designated by the Animal Warden to be a public nuisance animal or animals by virtue of being a menace to the public health, welfare and safety.
- B. No person shall keep, own, harbor or otherwise possess within the Town a dog that is a public nuisance animal as declared by this Ordinance.

400-1-5: DANGEROUS AND POTENTIALLY DANGEROUS DOGS: Sherburne County shall be the animal control authority for the Town pursuant to Minnesota Statutes 347.50, subd. 7.

400-1-6: DISTURBING THE PEACE:

- A. No owner shall keep or harbor a habitually barking dog within the Town.
- B. This section does not apply to on-duty police dogs or to duly authorized hospitals or clinics established and operating for the treatment of dogs.

400-1-7: RUNNING AT LARGE PROHIBITED: No owner shall permit a dog to be at large within the Town and every owner of a dog shall cause the same to be:

- A. Confined to the owner's property by training, fencing, or leashing. Females in heat shall be confined in an enclosure until they no longer attract other animals.
- B. While in any public place such as a school, playground, or a park to be on a leash, chain, or cord of not more than six feet in length and in the custody of a person of sufficient age to adequately control the dog at all times.
- C. While in all other areas such as on a public road or in an automobile, to be in the custody of a person of sufficient age to adequately control the dog at all times.

400-1-8: DISEASED DOGS:

- A. Any dog displaying symptoms of being rabid may be seized at any place or time and shall be confined in the Town dog pound, or other appropriate place designated by the Town Board, at the expense of the owner, until found to be free from rabies.
- B. If any dog appears to be diseased, vicious, rabid, or has been exposed to rabies, and such dog cannot be impounded without serious risk, such dog may be euthanized if reasonably necessary for the safety of any person or persons.

400-1-9: ABANDONMENT: It shall be unlawful to abandon any dog within the Town.

400-1-10: IMPOUNDMENT:

- A. The Animal Warden may seize and impound any at-large dog for violation of this Ordinance.
- B. If the owner of the premises on which an at-large dog is found demands impoundment, the owner of the premises must agree in writing to indemnify and hold harmless the Town from any claims for damages by the owner of said dog.
- C. The Town shall not be responsible for any extraordinary medical expenses related to an impounded dog.
- D. Notice:
 - 1. Within one day of impounding a dog, the Animal Warden shall post at the front door of the Town Hall a Notice of Impoundment in the form established by the Town.

2. If the owner of the dog is known, the Animal Warden shall give the owner the Notice of Impoundment by mail or personal service before the date upon which said notice is posted at the Town Hall.
- E. Any dog impounded under the provisions of this Ordinance shall be kept in a pound, fed, and treated in a humane manner for a period of at least 10 days after a notice of such impounding has been posted in the Town Hall.
- F. Redemption:
1. The Town may condition redemption of a dog from impounding upon payment of the required impounding fee, the cost of boarding for each day the dog was confined, and any medical fees incurred to care for the animal to be paid directly to the Town.
 2. If the dog needs a rabies vaccination, then payment for the vaccination must also be paid before the dog or animal may be redeemed.
- G. Disposition: If at the end of the redemption period, the dog has not been redeemed, it may be sold at a private sale, or the Animal Warden may dispose of the dog in a humane manner or pursuant to the terms of Minnesota Statutes 35.71, but not using any methods prohibited by Minnesota Statutes 343.27 or 343.37.

400-1-12: INTERFERENCE WITH OFFICERS:

- A. It is unlawful for any person to interfere with the Animal Warden when engaged in the discharge of duties under this Ordinance, including pursuit or impounding of a dog or to refuse to surrender such dog to the Animal Warden.
- B. It shall be unlawful for any unauthorized person to break open the pound or attempt to do so, or to take or let out any dogs therefrom, or to take or attempt to take from any officer or agent, any dog taken up in compliance with this Ordinance.

400-1-13: ADMINISTRATION:

- A. The provisions of this Ordinance shall be enforced by the Animal Warden or the Animal Control Authority.
- B. The Animal Warden shall have the right to enter upon any private property at all reasonable times for the purpose of discharging the duties imposed by this Ordinance, provided that the Animal Warden has:

1. The consent of the property owner to enter the property;
 2. An administrative search warrant allowing entry onto the property;
 3. A court order allowing entry onto the property.
 4. If the Animal Warden does not have consent, an administrative warrant, or a court order allowing entry, the Animal Warden shall only enter private property in an emergency situation.
 5. The Animal Warden may enter upon private property in pursuit of a dog running at large.
- C. The Town shall keep the following records related to administration of this Ordinance in accordance with record retention requirements:
1. Accurate and detailed records of the impoundment, and disposition of dogs(s) coming into custody;
 2. Accurate records of all citations issued for violations of this Ordinance; and
 3. Accurate and detailed records of all money collected and expended in the operation of the functions of their office.

400-1-14: PENALTY: Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor punishable by up to the maximum sentence allowed by law for such offense.

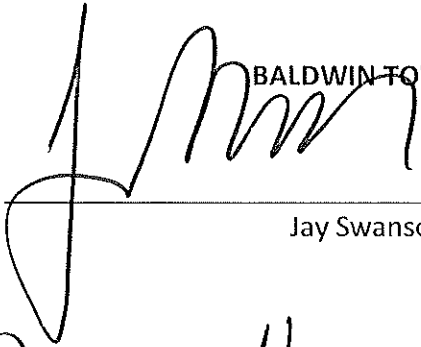
400-1-15: SEPARABILITY: If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included in said judgment.

Section 2. This Ordinance shall become effective after passage and publication.

ADOPTED by the Board of Supervisors of Baldwin Township this 19th day of September, 2023.

MOTION BY: Lawrence
 SECONDED BY: Holm
 IN FAVOR: Lawrence, Holm, Swanson
 OPPOSED: Rugh

BALDWIN TOWNSHIP



Jay Swanson, Chair

ATTEST:



Joan Heinen, Town Clerk/Treasurer

EXHIBIT 41

**BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA
Ordinance No. 500**

**AN ORDINANCE AMENDING ORDINANCE NO. 100 RELATED
TO USE OF RIGHTS-OF-WAY BY UTILITY PROVIDERS**

The Board of Supervisors of the Town of Baldwin obtains:

SECTION I. Article II, Section 2.03 of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by adding the underscored language as follows:

25. **Registrant.** "Registrant" means any person who (1) has or seeks to have its equipment or facilities located in any right-of-way, or (2) in any way occupies or uses, or seeks to occupy or use, the right-of-way or place its facilities in the right-of-way.

SECTION II. Article II of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by adding Section 2.031 as follows:

Section 2.031. Registration and Right-of-Way Occupancy.

1. **Registration.** Each person who occupies, uses, or seeks to occupy or use, the right-of-way for purposes of placing, maintaining or repairing any equipment or facilities in the right-of-way, including persons with installation and maintenance responsibilities by lease, sublease or assignment, must register with the Town. Registration will consist of providing application information and paying a registration fee.
2. **Registration Prior to Work.** No person may construct, install, repair, remove, relocate, or perform any other work on, or use any facilities or any part thereof in any right-of-way without first being registered with the Town.
3. **Exceptions.** Nothing herein shall be construed to repeal or amend the provisions of a Town ordinance permitting persons to plant or maintain boulevard plantings or gardens in the area of the right-of-way between their property and the street curb. Persons planting or maintaining boulevard plantings or gardens shall not be deemed to use or occupy the right-of-way, and shall not be required to obtain any permits or satisfy any other requirements for planting or maintaining such boulevard plantings or gardens under this Ordinance. However, nothing herein relieves a person from compliance with the provisions of the Minn. Stat. Chap. 216D, "One call" Law.

SECTION III. Article II of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by adding Section 2.032 as follows:

Section 2.032. Registration Information.

1. **Information Required.** The information provided to the Town at the time of registration shall include, but not be limited to:
 - (a) Each of the following, if applicable; registrant's name, Gopher One-Call registration certificate number, address, e-mail address, telephone and facsimile numbers.
 - (b) The name, address and e-mail address, if applicable, and telephone and facsimile numbers of a local representative. The local representative or designee shall be available at all times. Current information regarding how to contact the local representative in an emergency shall be provided at the time of registration.
 - (c) A certificate of insurance or self-insurance:
 - (1) Verifying that an insurance policy has been issued to the registrant by an insurance company licensed to do business in the State of Minnesota, or a form of self insurance acceptable to the Town;
 - (2) Verifying that the registrant is insured against claims for personal injury, including death, as well as claims for property damage arising out of the (i) use and occupancy of the right-of-way by the registrant, its officers, agents, employees and permittees, and (ii) placement and use of facilities in the right-of-way by the registrant, its officers, agents, employees and permittees, including, but not limited to, protection against liability arising from completed operations, damage of underground facilities and collapse of property;
 - (3) Naming the Town and its engineer as an additional insured as to whom the coverages required herein are in force and applicable and for whom defense will be provided as to all such coverages;
 - (4) Requiring that the Town be notified thirty (30) days in advance of cancellation of the policy or material modification of a coverage term;
 - (5) Indicating comprehensive liability coverage, automobile liability coverage, workers compensation and umbrella coverage established by the Town in amounts sufficient to protect the Town and the public and to carry out the purposes and policies of this Ordinance.
 - (d) The Town may require a copy of the actual insurance policies.
 - (e) If the person is a corporation, a copy of the certificate required to be filed with the Secretary of State.
 - (f) A copy of the person's order granting a certificate of authority from the Minnesota Public Utilities Commission or other applicable state or federal agency, where the person is

lawfully required to have such certificate from said Commission or other state or federal agency.

2. **Notice of Changes.** The registrant shall keep all of the information listed above current at all times by providing to the Town information as to changes within fifteen (15) days following the date on which the registrant has knowledge of any change.

SECTION IV. Article II of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by adding Section 2.033 as follows:

Section 2.033. Reporting Obligations.

1. **Operations.** Each registrant shall, at the time of registration and 60 days prior to construction, file a construction and major maintenance plan for underground facilities with the Town. Such plan shall be submitted using a format designated by the Town and shall contain the information determined by the Town to be necessary to facilitate the coordination and reduction in the frequency of excavations and obstructions of rights-of-way.

The plan shall include, but not be limited to, the following information:

- (a) The locations and the estimated beginning and ending dates of all projects to be commenced during the next calendar year (in this section, a "Next-year Project").

The term "project" in this section shall include next-years projects.

SECTION V. Article II, Section 2.05 of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by adding the underscored language as follows:

- E. Registration with the Town pursuant to this Article.
- F. Registrants who join in a scheduled obstruction or excavation performed by the Town, whether or not it is a joint application by two or more registrants or a single application, are not required to pay the obstruction and degradation portions of the permit fee.
- G. Registrants who apply for permits for the same obstruction or excavation, which the Town does not perform, may share in the payment of the obstruction or excavation permit fee. Registrants must agree among themselves as to the portion each will pay and indicate the same on their applications.

SECTION VI. Article II, Section 2.08 of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by deleting the ~~stricken~~ language and adding the underscored language as follows:

3. **Standards.** ~~The permittee shall perform excavation, backfilling, patching and restoration according to the standards and with the materials specified by the Town and shall comply with~~

Minnesota Rule, part 7819.1100.--The permittee shall perform patching and restoration according to the standards and with the materials specified or approved by the Town engineer. The Town engineer shall have the authority to prescribe the manner and extent of the restoration, and may do so in written procedures of general application or on a case-by-case basis. The Town engineer in exercising this authority shall comply with the standards for right-of-way restoration in Minnesota Rule, part 7819.1100 and shall further be guided by the following considerations:

- (a) The number, size, depth and duration of the excavations, disruptions or damage to the right-of-way;
 - (b) The traffic volume carried by the right-of-way; the character of the neighborhood surrounding the right-of-way;
 - (c) The pre-excavation condition of the right-of-way; the remaining life expectancy of the right-of-way affected by the excavation;
 - (d) Whether the relative cost of the method of restoration to the permittee is in reasonable balance with the prevention of an accelerated depreciation of the right-of- way that would otherwise result from the excavation, disturbance or damage to the right-of-way; and
 - (e) The likelihood that the particular method of restoration would be effective in slowing the depreciation of the right-of-way that would otherwise take place.
4. **Guarantees.** By choosing to restore the right-of-way itself, the permittee guarantees its work and shall maintain it for thirty-six (36) months following its completion. During this 36-month period it shall, upon notification from the Town, correct all restoration work to the extent necessary, using the method required by the Town engineer. Said work shall be completed within five (5) business days of the receipt of the notice from the Town, exclusive of weekends, legal holidays, periods during which work cannot be done because of circumstances beyond permittee's reasonable control or days when work is prohibited as unseasonal or unreasonable as provided in this Ordinance.

SECTION VII. Article II, Section 2.10 of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by adding the underscored language as follows:

5. **Traffic Warnings and Signage.** When working in or obstructing a Town right-of-way, the applicant is required to erect proper signage and traffic control devices to warn the public that work is being performed in the right-of-way or that the right-of-way is obstructed. All signs and traffic warning devices shall be erected as prescribed by and in conformance with the Minnesota Manual on Uniform Traffic Control Devices.

SECTION VIII. Article II, Section 2.16 of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by adding the underscored language as follows:

5. Cause for Probation. From time to time, the Town may establish a list of conditions of the permit, which if breached will automatically place the permittee on probation for one full year, such as, but not limited to, working out of the allotted time period or working on right-of-way grossly outside of the permit authorization.
6. Automatic Revocation. If a permittee, while on probation, commits a breach as outlined above, permittee's permit will automatically be revoked and permittee will not be allowed further permits for one full year, except for emergency repairs.

SECTION IX. Article II of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by adding Section 2.165 as follows:

Section 2.165. Mapping Data.

1. Information Required. Each registrant shall provide mapping information required by the Town in accordance with Minnesota Rules, part 7819.4100.
2. Trade Secret Information. At the request of any registrant, any information requested by the Town, which qualifies as a "trade-secret information" under Minnesota Statutes, section 13.37, subdivision 1(b), shall be treated as trade secret information by the Town.

SECTION X. Article II, Section 2.17 of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by deleting the ~~stricken~~ language and adding the underscored language as follows:

Section 2.17. Location and Relocation of Facilities.

~~Placement, location, and relocation of facilities must comply with the Act, with other applicable law, and with Minnesota Rules, parts 7819.3100, 7819.5000 and 7819.5100, to the extent the rules do not limit authority otherwise available to Towns.~~

1. Undergrounding. Unless otherwise permitted by an existing franchise or Minnesota Statutes, section 216B.34, or unless existing above-ground facilities is repaired or replaced, new construction and the installation of new facilities and replacement of old facilities shall be done underground or contained within buildings or other structures in conformity with applicable codes.
2. Corridors. The Town engineer may assign specific corridors within the right-of-way, or any particular segment thereof as may be necessary, for each type of facilities that is or, pursuant to current technology, the Town engineer expects will someday be located within the right-of-way. All excavation, obstruction, or other permits issued by the Town involving the installation or replacement of facilities shall designate the proper corridor for the facilities at issue.

Any registrant who has facilities in the right-of-way in a position at variance with the corridors established by the Town engineer shall, no later than at the time of the next reconstruction or

excavation of the area where the facilities are located, move the facilities to the assigned position within the right-of-way, unless this requirement is waived by the Town for good cause shown, upon consideration of such factors as the remaining economic life of the facilities, public safety, customer service needs and hardship to the registrant.

3. **Nuisance.** One year after the passage of this Ordinance, any facilities found in a right-of-way that have not been registered shall be deemed to be a nuisance. The Town may exercise any remedies or rights it has at law or in equity, including, but not limited to, abating the nuisance or taking possession of the facilities and restoring the right-of-way to a useable condition.

4. **Limitation of Space.** To protect health, safety, and welfare or when necessary to protect the right-of-way and its current use, the Town shall have the power to prohibit or limit the placement of new or additional facilities within the right-of-way. In making such decisions, the Town shall strive to the extent possible to accommodate all existing and potential users of the right-of-way, but shall be guided primarily by considerations of the public interest, the public's needs for the particular utility service, the condition of the right-of-way, the time of year with respect to essential utilities, the protection of existing facilities in the right-of-way, and future Town plans for public improvements and development projects which have been determined to be in the public interest.

SECTION XI. Article II of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by adding Section 2.171 as follows:

Section 2.171. Relocation of Facilities.

A registrant must promptly and at its own expense, with due regard for seasonal working conditions, permanently remove and relocate its facilities in the right-of-way whenever the Town for good cause requests such removal and relocation, and shall restore the right-of-way to the same condition it was in prior to said removal or relocation. The Town may make such request to prevent interference by the company's equipment or facilities with (i) a present or future Town use of the right-of-way, (ii) a public improvement undertaken by the Town, (iii) an economic development project in which the Town has an interest or investment, (iv) when the public health, safety and welfare require it, or (v) when necessary to prevent interference with the safety and convenience of ordinary travel over the right-of-way.

Notwithstanding the foregoing, a person shall not be required to remove or relocate its facilities from any right-of-way which has been vacated in favor of a non-governmental entity unless and until the reasonable costs thereof are first paid to the person therefor.

SECTION XII. Article II of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by adding Section 2.172 as follows:

Section 2.172. Pre-Excavation Facility and Facilities Location.

In addition to complying with the requirements of Minnesota Statutes, Sections 216D.01-.09 ("One Call Excavation Notice System") before the start date of any right-of-way excavation,

each registrant who has facilities or equipment in the area to be excavated shall mark the horizontal and approximate vertical placement of all said facilities. Any registrant whose facilities is less than twenty (20) inches below a concrete or asphalt surface shall notify and work closely with the excavation contractor to establish the exact location of its facilities and the best procedure for excavation.

SECTION XIII. Article II of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by adding Section 2.173 as follows:

Section 2.173. Damage to Other Facilities.

When the Town does work in the right-of-way and finds it necessary to maintain, support, or move a registrant's facilities to protect it, the Town shall notify the local representative as early as is reasonably possible. The costs associated therewith will be billed to that registrant and must be paid within thirty (30) days from the date of billing.

Each registrant shall be responsible for the cost of repairing any facilities in the right-of-way which it or its facilities damages. Each registrant shall be responsible for the cost of repairing any damage to the facilities of another registrant caused during the Town's response to an emergency occasioned by that registrant's facilities.

SECTION XIV. Article II, Section 2.18 of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by deleting the ~~stricken~~ language and adding the underscored language as follows:

Section 2.18. Right-of-Way Vacation.

~~If the Town vacates a right-of-way that contains the facilities installed pursuant to a permit issued by the Town, the rights of the owner of the installed facilities in the vacated right-of-way are governed by Minnesota Rules, part 7819.3200.~~

1. **Reservation of Right.** If the Town vacates a right-of-way which contains the facilities of a registrant, and if the vacation does not require the relocation of registrant's or permittee's facilities, the Town shall reserve, to and for itself and all registrants having facilities in the vacated right-of-way, the right to install, maintain and operate any facilities in the vacated right-of-way and to enter upon such right-of-way at any time for the purpose of reconstructing, inspecting, maintaining or repairing the same.

2. **Relocation of Facilities.** If the vacation requires the relocation of registrant's or permittee's facilities; and (i) if the vacation proceedings are initiated by the registrant or permittee, the registrant or permittee must pay the relocation costs; or (ii) if the vacation proceedings are initiated by the Town, the registrant or permittee must pay the relocation costs unless otherwise agreed to by the Town and the registrant or permittee; or (iii) if the vacation proceedings are initiated by a person or persons other than the registrant or permittee, such other person or persons must pay the relocation costs.

SECTION XV. Article II, Section 2.19 of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by deleting the stricken language and adding the underscored language as follows:

Section 2.19. Indemnification and Liability.

~~By accepting a permit under this Article, permittee agrees to defend and indemnify the Town in accordance with the provisions of Minnesota Rule, part 7819.1250.~~

By registering with the Town, or by accepting a permit under this Ordinance, a registrant or permittee agrees as follows:

1. **Limitation of Liability.** By reason of the acceptance of a registration or the grant of a right-of-way permit, the Town does not assume any liability (i) for injuries to persons, damage to property, or loss of service claims by parties other than the registrant or the Town, or (ii) for claims or penalties of any sort resulting from the installation, presence, maintenance, or operation of facilities by registrants or activities of registrants.

2. **Indemnification.** A registrant or permittee shall indemnify, keep, and hold the Town, its representatives, officers, employees or assigns free and harmless from any and all liability on account of injury to persons or damage to property occasioned by the issuance of permits or by the construction, maintenance, repair, inspection, or operation of registrant's or permittee's facilities located in the right-of-way.

The Town shall not be indemnified for losses or claims occasioned through its own negligence except for losses or claims arising out of or alleging the local government unit's negligence as to the issuance of permits or inspections to ensure permit compliance. The Town shall not be indemnified if the injury or damage results from the performance in a proper manner of acts that the registrant or permittee reasonably believes will cause injury or damage, and the performance is nevertheless ordered or directed by the Town after receiving notice of the registrant's or permittee's determination.

3. **Defense.** If a suit is brought against the Town under circumstances where the registrant or permittee is required to indemnify, the registrant or permittee, at its sole cost and expense, shall defend the Town in the suit if written notice of the suit is promptly given to the registrant or permittee within a period in which the registrant or permittee is not prejudiced by the lack or delay of notice.

If the registrant or permittee is required to indemnify and defend, it shall thereafter have control of the litigation, but the registrant or permittee may not settle the litigation without the consent of the Town. Consent will not be unreasonably withheld.

This part is not, as to third parties, a waiver of any defense, immunity, or damage limitation otherwise available to the Town.

In defending an action on behalf of the Town, the registrant or permittee is entitled to assert in an action every defense, immunity, or damage limitation that the Town could assert in its own

behalf.

SECTION XVI. Article II, Section 2.20 of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by deleting the ~~stricken~~ language and adding the underscored language as follows:

Section 2.20. Abandoned and Unusable Facilities.

- ~~1. **Discontinued Operations.** A right-of-way user who has determined to discontinue all or a portion of its operations in the Town must provide information satisfactory to the Town that the right-of-way user's obligations for its facilities in the right-of-way under this Article have been lawfully assumed by another person.~~
- ~~2. **Removal.** Any right of way user who has abandoned facilities in any right-of-way shall remove it from that right-of-way if required in conjunction with other right-of-way repair, excavation, or construction, unless this requirement is waived by the Town.~~
1. **Discontinued Operations.** A registrant who has determined to discontinue its operations in the Town must either:
 - (a) Provide information satisfactory to the Town that the registrant's obligations for its facilities in the right-of-way under this Ordinance have been lawfully assumed by another registrant; or
 - (b) Submit to the Town a proposal and instruments for transferring ownership of its facilities to the Town. If a registrant proceeds under this clause, the Town may, at its option:
 - (1) purchase the facilities; or
 - (2) require the registrant, at its own expense, to remove it; or
 - (3) require the registrant to post a bond in an amount sufficient to reimburse the Town for reasonably anticipated costs to be incurred in removing the facilities.
2. **Abandoned Facilities.** Facilities of a registrant who fails to comply with subd. 1 of this Section, and which, for two (2) years, remains unused shall be deemed to be abandoned. Abandoned facilities are deemed to be a nuisance. The Town may exercise any remedies or rights it has at law or in equity, including, but not limited to, (i) abating the nuisance (ii) taking possession of the facilities and restoring it to a useable condition, or (iii) requiring removal of the facilities by the registrant, or the registrant's successor in interest.
3. **Removal.** Any registrant who has unusable and abandoned facilities in any right-of-way shall remove it from that right-of-way during the next scheduled excavation, unless this requirement is waived by the Town.

SECTION XVII. Article II of Ordinance No. 100 Regulating Town Road Rights-of-Way is amended by adding Section 2.21 as follows:

Section 2.21. Reservation of Regulatory and Police Powers.

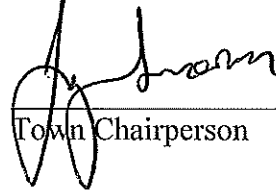
A permittee's or registrant's rights are subject to the regulatory and police powers of the Town to adopt and enforce general ordinances necessary to protect the health, safety and welfare of the public.

SECTION XVIII. Incorporation of Amendments. The Town Clerk/Treasurer is hereby authorized and directed to, with the Town Attorney's assistance if needed, incorporate these amendments into the text of the Ordinance No. 100, including renumbering sections and subsections as needed, to produce an updated and complete copy of the amended Ordinance No. 100.

SECTION XIX: This ordinance shall become effective on the first day of publication after its adoption.

Adopted on this 7 day of 11, 2011.

BY THE TOWN BOARD



Town Chairperson

Attest:



Town Clerk/Treasurer

(stamp)

EXHIBIT 42

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA
ORDINANCE #600

AN ORDINANCE ADOPTING A
FEE SCHEDULE FOR THE TOWN

The Board of Supervisors of the Town of Baldwin ordains:

SECTION I. Schedule Adopted. The attached fee schedule is hereby adopted. The fees contained in the schedule replace any fee amounts previously adopted by the Town Board on the same item.

SECTION II, Not Codified. This ordinance is transitory in nature and shall not be codified. This ordinance and the fee schedule established hereby shall be placed on file and available for public inspection at the Town Hall.

ARTICLE III. Zoning Fees. The Town is authorized by Minnesota Statutes, section 762.355, subdivision 4 to impose fees to offset its costs to administer and enforce its subdivision ordinance. The zoning fees the Town collects shall be used to offset the Town's costs related to the administration and enforcement of its subdivision ordinance. The subdivision application fees the Town collects will not be transferred or used for purposes unrelated to planning and zoning.

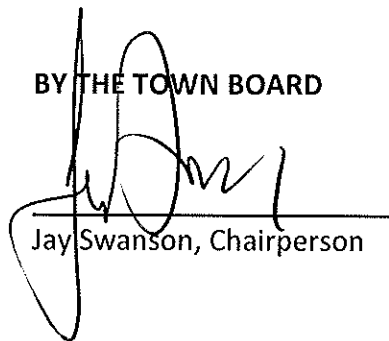
ARTICLE IV. Reasonableness. The Town Board determines the fees established on the attached fee schedule are fair, reasonable, proportionate, and have a nexus to the actual costs the Town incurs related to providing the services to which they relate.

ARTICLE V. Effect. The fees set out in the attached fee schedule apply notwithstanding any other fees the Town has established which may be inconsistent. Any other fees imposed by the Township which do not appear on the attached fee schedule remain in full force and effect.

ARTICLE VI. Effective Date. This ordinance is effective upon the first day of publication and applies to any requests for a service included on the schedule made on or after its effective date.

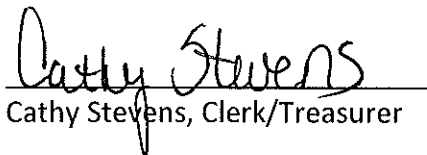
Adopted this 7th day of December, 2015.

BY THE TOWN BOARD



Jay Swanson, Chairperson

ATTEST:



Cathy Stevens, Clerk/Treasurer

**BALDWIN TOWNSHIP
FEE SCHEDULE**
Adopted on December 7, 2015

GENERAL FEES

Notary Fee	\$1.00
DVD's (if borrowed from township)	\$15.00 (refundable deposit)
Electronic Data	\$10.00
Photo Copies	
Letter Size	\$.25 (Color \$.35)
Legal Size	\$.50 (Color \$.60)
Ledger Size	\$1.00
Mailing Copies	
First three copies	\$1.50
Additional Each	\$.25
Overdue Utility Fee	7% Delinquent Fee plus \$25.00 month service charge
NSF Check Fee	\$40.00
Road Right of Way Permit	\$500.00
Driveway Permit Fee	\$150.00
2 nd Driveway Permit Fee	\$150.00 Needs approval of the Baldwin Town Board
EMS Signs, Post & Hardware Fee	\$60.98
Canine Pick Up Fee	\$150.00 plus applicable PayPal convenience fee of \$5.00. Fee payable to Baldwin Township in person or through PayPal on the Baldwin Township Website.
Feline Pick Up Fee	\$150.00 Fee payable to Baldwin Township. Pickup only when directed by the sheriff.

*If estimated amount of photo copies exceeds \$30.00, Baldwin Township must receive the money before the Township will satisfy the request.

**BALDWIN TOWNSHIP
FEE SCHEDULE**
Adopted on December 7, 2015

	Includes fee to conduct 1 hearing. Town administration fee, Attorney fees and Engineering fee. If actual cost is less than \$1,000, that amount will be refunded; if actual cost is more, the cost will be billed to person requesting the hearing. Fees will be deposited into a non-interest bearing escrow account. No public hearing will be noticed until the applicant has signed a fee responsibility agreement with the Township.
Public Hearing Fees	
Fees other than Public Hearing	
Publication Fee	As charged by newspaper
Attorney Fee	As charged by township attorney
Engineering Fee, if applicable	As charged by township engineer

Applicants are required to escrow the indicated amount of cash with the Town and may be required to sign an escrow agreement. Applicants are responsible for fully reimbursing the Town for all professional fees it incurs related to the request. The Town uses the escrowed funds to reimburse itself for these fees and if the escrow is not sufficient to fully reimburse the Town, the applicant will be billed or will be required to submit additional funds to be placed in escrow. Any unreimbursed amounts constitute a service charge the Town will certify to the County Auditor for collection on the applicant's property as provided in Minn. Stat. § 366.012.

EXHIBIT 43

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA
ORDINANCE #600
(Revised 1/4/16)

AN ORDINANCE ADOPTING A
FEE SCHEDULE FOR THE TOWN

The Board of Supervisors of the Town of Baldwin ordains:

SECTION I. Schedule Adopted. The attached fee schedule is hereby adopted. The fees contained in the schedule replace any fee amounts previously adopted by the Town Board on the same item.

SECTION II, Not Codified. This ordinance is transitory in nature and shall not be codified. This ordinance and the fee schedule established hereby shall be placed on file and available for public inspection at the Town Hall.

ARTICLE III. Zoning Fees. The Town is authorized by Minnesota Statutes, section 762.355, subdivision 4 to impose fees to offset its costs to administer and enforce its subdivision ordinance. The zoning fees the Town collects shall be used to offset the Town's costs related to the administration and enforcement of its subdivision ordinance. The subdivision application fees the Town collects will not be transferred or used for purposes unrelated to planning and zoning.

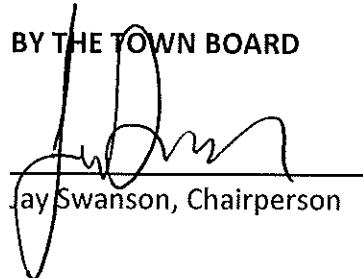
ARTICLE IV. Reasonableness. The Town Board determines the fees established on the attached fee schedule are fair, reasonable, proportionate, and have a nexus to the actual costs the Town incurs related to providing the services to which they relate.

ARTICLE V. Effect. The fees set out in the attached fee schedule apply notwithstanding any other fees the Town has established which may be inconsistent. Any other fees imposed by the Township which do not appear on the attached fee schedule remain in full force and effect.

ARTICLE VI. Effective Date. This ordinance is effective upon the first day of publication and applies to any requests for a service included on the schedule made on or after its effective date.

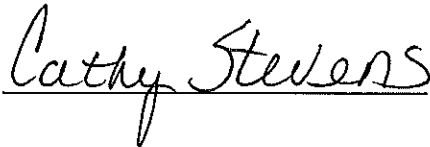
Adopted this 7th day of December, 2015.

BY THE TOWN BOARD



Jay Swanson, Chairperson

ATTEST:



Cathy Stevens

**BALDWIN TOWNSHIP
FEE SCHEDULE**

Adopted on December 7, 2015 (Revised 1/4/16)

GENERAL FEES

Notary Fee	\$1.00
DVD's (if borrowed from township	\$15.00 (refundable deposit)
Electronic Data	\$10.00
Photo Copies	
Letter Size	\$.25 (Color \$.35)
Legal Size	\$.50 (Color \$.60)
Ledger Size	\$1.00
Mailing Copies	
First three copies	\$1.50
Additional Each	\$.25
Overdue Utility Fee	7% Delinquent Fee plus \$25.00 month service charge
NSF Check Fee	\$40.00
Road Right of Way Permit	\$500.00
Driveway Permit Fee	\$150.00
2 nd Driveway Permit Fee	\$150.00 Needs approval of the Baldwin Town Board
EMS Signs, Post & Hardware Fee	\$67.32
Canine Pick Up Fee	\$150.00 plus applicable PayPal convenience fee of \$5.00. Fee payable to Baldwin Township in person or through PayPal on the Baldwin Township Website.
Feline Pick Up Fee	\$150.00 Fee payable to Baldwin Township. Pickup only when directed by the sheriff.

*If estimated amount of photo copies exceeds \$30.00, Baldwin Township must receive the money before the Township will satisfy the request.

**BALDWIN TOWNSHIP
FEE SCHEDULE**

Adopted on December 7, 2015 (Revised 1/4/16)

	Includes fee to conduct 1 hearing. Town administration fee, Attorney fees and Engineering fee. If actual cost is less than \$1,000, that amount will be refunded; if actual cost is more, the cost will be billed to person requesting the hearing. Fees will be deposited into a non-interest bearing escrow account. No public hearing will be noticed until the applicant has signed a fee responsibility agreement with the Township.
Public Hearing Fees	
Fees other than Public Hearing	
Publication Fee	As charged by newspaper
Attorney Fee	As charged by township attorney
Engineering Fee, if applicable	As charged by township engineer

Applicants are required to escrow the indicated amount of cash with the Town and may be required to sign an escrow agreement. Applicants are responsible for fully reimbursing the Town for all professional fees it incurs related to the request. The Town uses the escrowed funds to reimburse itself for these fees and if the escrow is not sufficient to fully reimburse the Town, the applicant will be billed or will be required to submit additional funds to be placed in escrow. Any unreimbursed amounts constitute a service charge the Town will certify to the County Auditor for collection on the applicant's property as provided in Minn. Stat. § 366.012.

EXHIBIT 44

**BALDWIN TOWNSHIP
SHERBURNE COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. 600-1

**ORDINANCE AMENDING ORDINANCE NO. 600
FEE SCHEDULE FOR THE TOWN**

The Board of Supervisors for the Town of Baldwin, Sherburne County, Minnesota, does hereby ordain:

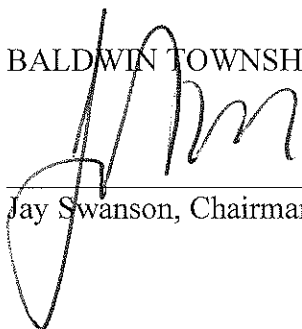
The following fees contained in Ordinance No. 600, Fee Schedule for the Town, are amended to read as follows:

- Tape/CD of Board Meeting \$20
- Notary Fee \$2
- Special Assessment Charge \$20
- First three copies \$2
- Research Fee \$75 per hour
- EMS Signs, Post & Hardware Fee \$70
- Electronic Payment \$3% of Transaction
- Public Hearing Fees \$1000

This Amended Ordinance shall be effective upon passage and publication in the official Township newspaper.

Passed by the Town Board of the Town of Baldwin this 1 Day of MAY 2023.

BALDWIN TOWNSHIP



Jay Swanson, Chairman

ATTEST:



Joan Heinen, Clerk

EXHIBIT 45

ORDINANCE NO.: 600-2

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE TOWN FEE SCHEDULE

THE BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP DOES HEREBY ORDAIN:

Section 1. Ordinance 600 is hereby amended establishing a fee schedule for Town services, permits and licenses for 2024:

FEE SCHEDULE EFFECTIVE JANUARY 1, 2024

General Fees	
Notary Fee	\$2.00
DVDs (if borrowed from the Town)	\$1.00
Electronic data	\$10.00
Tape/CD of Board Meeting	\$20.00
Photo Copies:	
a. First three copies	\$2.00
b. Letter	\$0.25/page or \$0.35/page color
c. Legal	\$0.50/page or \$0.60 page color
d. Ledger	\$1.00/page
Postage:	
a. First three copies	\$1.50
b. Each additional	\$0.25
Overdue Utility Fee	7% of delinquent balance plus \$25.00/month
Special Assessment Charge	\$20.00
Research Fee	\$75.00/hr.
Road Right-of-Way Permit	\$500.00
Second Driveway Permit	\$300.00
EMS sign, post and hardware	\$70.00
Electronic payment	3% of transaction
Public Hearing Fee	\$1,000.00
Canine Pick Up	\$150.00 plus \$5.00 if online payment
Feline Pick Up	\$150.00
Development Applications	
Comprehensive Plan Amendment	
a. Base Fee	\$500.00
b. Escrow – Single Family	\$1,000.00
c. Escrow – All Others	\$3,000.00
Zoning Amendment (map or text):	
a. Base Fee	\$500.00

	b. Escrow – Single Family	\$1,000.00
	c. Escrow – All Others	\$3,000.00
	Variance:	
	a. Base Fee	\$500.00
	b. Escrow – Single Family	\$1,000.00
	c. Escrow – All Others	\$3,000.00
	Conditional Use Permit:	
	a. Base Fee	\$500.00
	b. Escrow – Single Family	\$1,000.00
	c. Escrow – All Others	\$3,000.00
	Interim Use Permit:	
	a. Base Fee	\$500.00
	b. Escrow	\$3,000.00
	Administrative Permit and Appeals:	
	a. Base Fee	\$200.00
	b. Escrow	\$400.00
	Sign Permit:	\$30.00
	Grading Permit:	\$1,000 escrow
	Zoning Confirmation Letter	\$30.00
	Site Plan Review:	
	a. Base Fee	\$200.00
	b. Escrow	\$3,000.00
	Shoreland/WS Alteration Permit:	
	a. Base fee	\$200.00
	b. Escrow	\$800.00
	Subdivision Sketch Plan:	
	a. Base Fee	\$200.00
	b. Escrow	\$2,000.00
	Simple Plat:	
	Preliminary Plat:	
	a. Base Fee	\$500.00
	b. Escrow	\$1,000.00
	Final Plat:	
	a. Base Fee	\$500.00
	b. Escrow	\$1,000.00
	Plat:	
	Preliminary Plat:	
	a. Base Fee	\$500.00
	b. Escrow	\$5,000.00
	Final Plat:	
	a. Base Fee	\$500.00
	b. Escrow	\$5,000.00
	Administrative Subdivision:	
	a. Base Fee	\$200.00
	b. Escrow	\$800.00
	Registered Land Survey:	

a. Base Fee	\$200.00
b. Escrow	\$800.00
Environmental Assessment Worksheet Review	
a. Base Fee	\$200.00
b. Escrow	\$3,000.00
Development Contract Minimums	
Legal Escrow	\$1,000.00
Engineering / Construction Observation Escrow	\$5,000.00
Town Administrative Fee	\$1,000.00
Park Dedication	
a. Residential	\$1,200.00/lot
b. Commercial/Industrial/Institutional	\$0.00/ac.
Building Permits: Building permit and inspection fees shall be as provided for by Appendix A of this Ordinance.	

Appendix A
Building Permit and Inspection Fees

The administration and issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes, Chapter 326B, Minnesota Administrative Rules 1300.0120 and 1300.0160, and as provided by this Ordinance. Fees are to be commensurate with the service provided. Permit fees not specifically identified within this Ordinance are based on the valuation determined by Subdivision 2.

Subd. 1. Permit and Inspection Fees for Residential Building, Commercial Building, Fire Suppression, Fire Alarm, Commercial Mechanical, and Commercial Plumbing. The minimum fee for processing these permits is \$100.00.

Total Valuation	Permit Fee
\$1.00 to \$2,000.00	\$100.00 Minimum
\$2,001.00 to \$25,000.00	\$100.00 for the first \$2,000.00 plus \$16.55 for each additional \$1,000.00 or fraction thereof, to and including \$25,000
\$25,001.00 to \$50,000.00	\$464.15 for the first \$25,000.00 plus \$12.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000
\$50,001.00 to \$100,000.00	\$764.15 for the first \$50,000.00 plus \$8.45 for each additional \$1,000.00 or fraction thereof, to and including \$100,000
\$100,001.00 to \$500,000.00	\$1,186.65 for the first \$100,000.00 plus \$6.75 for each additional \$1,000.00 or fraction thereof, to and including \$500,000
\$500,001.00 to \$1,000,000.00	\$3,886.65 for the first \$500,000.00 plus \$5.50 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000; and
\$1,000,001.00 and up	\$6,636.65 for the first \$1,000,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof

Subd. 2. Project Valuation Determination. The Designated Building Official has the authority and responsibility to determine project valuation for the purposes of establishing applicable plan review and permit fees. Valuation data may be referenced from the State of Minnesota and/or the International Code Council.

Subd. 3. Plan Review Fees. Where a plan review fee is performed and charged, the minimum plan review fee for all permits is \$50.00. Plan review fees for building, fire suppression, and fire alarm permits shall be sixty-five percent (65%) of the building permit fees as set forth in Subdivision 1 of this Section. Plan review fees for similar plans are set forth in Minnesota Rules 1300.0160.

Plan review fees for all commercial mechanical permits shall be ten percent (10%) of the permit fee when a project job valuation is determined to exceed \$30,000.00.

In the event a permit applicant submits an application that requires plan review and decides not to proceed with the building project after the plan review has been completed, the plan review fee will be billed by the jurisdiction to the permit applicant.

Subd. 4. State Surcharge on Building, Mechanical, and Plumbing, Permit Fees. In addition to the permit fees established in this fees schedule, a surcharge fee shall be collected on all permits issued for work governed by the Minnesota State Building Code in accordance with Minnesota Statutes, Section 326B.148.

Subd. 5. Refunds. The jurisdiction may refund up to 80% of the permit fees in which no work has been done and no inspections have been made. Requests for refunds must be made by the permit applicant in writing within 180 days of issuance. Within 10 days of receipt, the Building Official must review the refund request and determine the amount to be refunded or deny the refund request for just cause.

No refunds will be approved or granted for the following: plan review fees, state surcharge fees, re-inspection fees, or any other services that have previously been rendered.

Subd. 6. Work Without a Permit. Work commenced without a permit may result in additional fees as specific in MN Rules 1300.010, Subpart 8.

Subd. 7. Residential Mechanical Permit Fees for Structures Regulated under the Minnesota Residential Code.

New construction mechanical (includes HVAC system, mechanical ventilation system, and gas lines)	\$150.00 per unit
Addition, alteration, remodel, or replacement mechanical	\$125.00
Basement finish mechanical	\$125.00
Fireplace	\$125.00
Garage heater	\$125.00
Gas lines	\$125.00
Miscellaneous mechanical appliance	\$125.00
All other minor mechanical work	\$125.00
Furnace and air conditioner units installed and inspected simultaneously	\$185.00

Subd. 8. Plumbing Permit Fees for Structures Regulated under the Minnesota Residential Code.

New construction plumbing	\$150.00 per unit
Addition, alteration, remodel, or replacement	\$125.00
Basement finish	\$125.00
Water heater	\$125.00
Water conditioning system	\$125.00
Miscellaneous plumbing fixtures	\$125.00
Municipal sewer connection	\$125.00
Municipal water connection	\$125.00

Subd. 9. Other Permits and Fees.

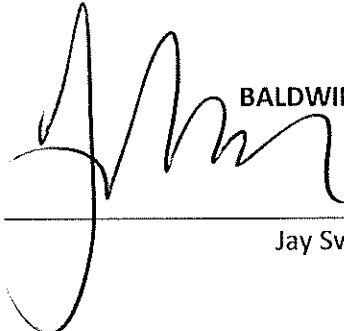
Accessory structures	Refer to Subd. 1 table. A 65% plan review may apply.
Structure additions, alterations	Refer to Subd. 1 table. A 65% plan review may apply
Structure remodel	Refer to Subd. 1 table. A 65% plan review may apply
Basement finishes	Refer to Subd. 1 table. A 65% plan review may apply
Deck	Refer to Subd. 1 table. A 65% plan review may apply
Fence over 7 feet high	Refer to Subd. 1 table. A 65% plan review may apply
Residential structure moving (exceeding 60 miles from	\$250.00

the jurisdiction)	
Residential roofing	\$125.00
Residential siding	\$125.00
Residential window replacement (same size)	\$125.00
Commercial demolition	Refer to Subd. 1 table. 65% plan review may apply
Residential demolition	\$200.00
Manufactured home set-up (foundation and connections only)	\$175.00
Solar/Photovoltaic Systems Residential (up to 3.5kW)	\$175.00
Solar/Photovoltaic Systems Residential (over 3.5kW)	Refer to Subd. 1 table. 65% plan review may apply
Solar/Photovoltaic Systems Commercial	Refer to Subd. 1 table. 65% plan review may apply
Residential irrigation system, including backflow prevention	\$125.00
Miscellaneous commercial or residential building permits for which no fee is specifically indicated	Refer to Subd. 1 table, 65% plan review may apply
Temporary Heating Equipment	\$150.00
Inspections which no fee is specifically indicated	\$125.00 per hour
Additional plan review required by changes, additions, or revisions to previously approved plans	\$95.00 per hour
Re-inspection fees	\$95.00 per hour/inspection – whichever is greater (minimum charge of 1 hour)
Inspections outside of normal business hours	\$150.00 per hour (minimum charge of 2 hours)
Change of Use/Occupancy	Refer to Subd. 1 table. 65% plan review may apply (minimum fee of \$300.00)
Septic System - Residential New	\$250.00
Septic System – Commercial New	Refer to Subd. 1 table. 65% plan review may apply
Septic System – Residential Alternation/Repair	\$200.00
Septic System – Commercial Alteration/Repair	Refer to Subd. 1 table. 65% plan review may apply
Operating Permit	\$125.00 Annually
Maintenance/Pumping Permit	\$10.00 Triennial

Section 2. This Ordinance shall become effective after passage and publication.


ADOPTED by the Board of Supervisors of Baldwin Township this 4th day of December, 2023.

MOTION BY:
SECONDED BY:
IN FAVOR:
OPPOSED:


BALDWIN TOWNSHIP

 Jay Swanson, Chair

ATTEST:



Joan Heinen, Town Clerk/Treasurer

EXHIBIT 46

BALDWIN TOWNSHIP SHERBURNE COUNTY, MINNESOTA

ORDINANCE NO. 700

ORDINANCE GOVERNING THE “FRONTIER TRAILS” SUBORDINATE SERVICE DISTRICT WASTE WATER TREATMENT AND COLLECTION SYSTEM

the Town Board for the Town of Baldwin, Sherburne County, Minnesota, hereby ordains:

SECTION ONE

AUTHORITY

The Baldwin Township Board of Supervisors, pursuant to authority granted under Minnesota Statutes, Chapter 365A, Chapter 115.50, 429, and Chapter 444 enacts the following Rules and Regulations to govern the Frontier Trails Subordinate Service District for the health, safety and welfare of the users and members of Baldwin Township.

SECTION TWO

INTRODUCTION

The Frontier Trails Subordinate Service District was created on the 2nd day of June, 2015 and was certified on the 6th day of July, 2015 hereinafter called DISTRICT, under Minnesota Statutes, Chapters 365A, 115.50, and 444 to design, finance, construct, operate, repair, replace, manage and maintain a community wastewater collection and wastewater treatment and disposal system (also called a Community Sewage Treatment and Collection System “CSTS”). The DISTRICT is under the control and management of the Baldwin Township Board of Supervisors (BOARD).

This ordinance shall apply to the Frontier Trails Subordinate Service District that will operate for the residents in that area described herein and graphically depicted on the attached Exhibit A.

SECTION THREE

DEFINITIONS

The following words and phrases when used in the definitions in this Section and when otherwise used in this document shall have the meanings ascribed to them in this Section, unless the context otherwise clearly indicates. The following words shall have these meanings; “may” or “should” mean permissive and “shall” or “will” are required or mandatory.

- 3.1. ADDITIVES – Product(s) added to the wastewater or to the SYSTEM with the intent to improve the performance of an individual’s sewage treatment system(s).

- 3.2. BOARD - The Baldwin Township Board of Supervisors.
- 3.3 BUILDING SEWER – The extension from the building drain to the public sewer or other place of disposal (also called “house connection”).
- 3.4. COMMON PORTION -The common wastewater collection system(s); that portion which begins at the boundary of each property for the connection of each USER and thereafter includes all equipment, pumps, sewer lines and appurtenances, treatment and disposal SYSTEM portions of the CSTS which are located in easements, or which is located on land owned by Baldwin Township. This excludes all SYSTEM(S) components between the dwelling and property line.
- 3.5. CONTRACTOR(S) - Independent person(s), entity (entities), party (parties) contracted, by the BOARD, to administer, manage, operate, inspect, pump, repair, and enforce or maintain the CSTS.
- 3.6. CSTS – Means Community Sewage Treatment and Collection System(s).
- 3.7. DESIGNATED REGISTERED PROFESSIONAL – Means an individual who is currently insured, bonded with the required licensure recognized by the Minnesota Pollution Control Agency and is subject to the ongoing obligations of licensing. This definition shall also mean an individual who is currently insured, bonded and a professional licensed Engineer registered with the State of Minnesota and is subject to the ongoing obligations of licensing.
- 3.8. DISTRICT -The Frontier Trails Subordinate Service District created under Minnesota Statutes Chapter 365A, Chapter 115.50, and Chapter 444, authorizing the powers herein.
- 3.9. DWELLING – Means any building or place used or intended to be used by human occupants as a single-family residence and consists of one or more rooms which are arranged, designed or used for human habitation. The term “residence” shall have the same meaning as defined herein.
- 3.10. EFFLUENT BIO-FILTER – A filtering system, which is placed before a pump, or in a line, and filters particles from the effluent either within or through a wastewater line, pump station, and/or septic tank. Another term for this is “effluent screen” which means a device that filters solid materials from sewage tanks before discharge to a treatment system(s).
- 3.11. HOLDING TANK – Means a tank for storage of sewage until it can be transported to a point of treatment and disposal.
- 3.12. INSPECTOR – Party contractually employed by either the BOARD which holds the necessary current licensures as a Designated Registered Professional by the MPCA and is licensed to do Inspections under an Inspector or Designer I license.

- 3.13. CSTS – The “COMMON PORTION” of the Community Wastewater Treatment System owned by the Board which includes all equipment, pumps, sewer lines, treatment and disposal system(s) portions, and any and all appurtenances of the sewer system which are located in a public recorded easement, or which are located on land owned by Baldwin Township as well as the “PRIVATE SYSTEM(S)” portion of the CSTS to the extent that it is managed and maintained by the DISTRICT.
- 3.14. MPCA STANDARDS - The minimum standards promulgated by the following Agencies: Minnesota Pollution Control Agency and this ORDINANCE, as amended from time to time.
- 3.15. PRIVATE PORTION OF SYSTEM - That portion of the wastewater collection SYSTEM(S) that resides within the individual parcel and lot boundaries of the USERS in the CSTS. This PRIVATE PORTION connects to that part called the “COMMON PORTION” portion of the CSTS with a recorded access maintenance easement and contributes effluent to the CSTS.
- 3.16. SEWAGE – The combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions (including polluted cooling water). The two most common types of sewage are:
- A. “Sanitary Sewage”. The combination of liquid and water carried wastes discharged from toilet and other sanitary plumbing facilities.
 - B. “Industrial Sewage”. A combination of liquid and water-carried wastes, discharged from any trade or process carried on in that establishment (this shall include the wastes from pretreatment facilities and polluted cooling waters).
- 3.17. SEWER, SANITARY – A sewer which carries sanitary and industrial wastes, and to which storm, surface and groundwater are not intentionally admitted.
- 3.18. SEWER AVAILABILITY CHARGE – An amount, set by the Baldwin Township BOARD by resolution from time to time, which reflects a sum required in order to hook up to the CSTS.
- 3.19. SYSTEM – Means the Community Sewage Treatment System as defined in this Section.
- 3.20. ORDINANCE – Means this ordinance and the rules and regulations imposed and enforced by Baldwin Township (BOARD).
- 3.21. USER - Means a resident, inhabitant, owner of land or dwelling that is causing or permitting the discharge of wastewater to the CSTS.

SECTION FOUR

GENERAL PROVISIONS AND CONDITIONS

- 4.1. The DISTRICT was created as an organizational, financing and management tool to operate and administrate the Community Sewage Treatment Collection System on behalf and for the landowners (USERS) encompassed by this DISTRICT pursuant to Minnesota Statutes Chapter 365A, Chapter 115.50, and Chapter 444, and Minn. Chapter 471.59 authorizing the powers herein.
- 4.2. The BOARD is responsible for the management of the DISTRICT including, but not limited to, construction, oversight, operations and maintenance, repairs, system upgrades, renovations, inspections, and administration of the wastewater collection system within the DISTRICT pursuant to the rules and standards imposed by the Minnesota Pollution Control Agency, Sherburne County Permit, if applicable, and this Ordinance, as amended from time to time.
- 4.3. The CSTS, as defined in Section 3, are any and all appurtenances, inclusive of treatment, disposal and secondary sites and all easements necessary, presently existing or hereinafter acquired, as are found necessary for completion of such sewer system in operating condition adequate to collect and transmit all wastewater effluent into the system and for the proper treatment and disposal of such wastewater.
- 4.4. PERMANENT ACCESS MAINTENANCE EASEMENT. The BOARD, their agents or CONTRACTOR(S) have the right, through the permanent access maintenance easements duly recorded against each property within the DISTRICT on file with the Office of the Sherburne County Recorder, to enter in and upon private property at all times reasonable under the circumstances for the purpose of monitoring, inspecting, pumping, repairs, and replacement required on the CSTS, or any part thereof including, but not limited to, the PRIVATE SYSTEM(S) PORTION area when reasonable and necessary to ensure the proper functioning and maintenance care of the sewer system.
- 4.5. USERS will be billed individually for any repairs and/or replacement of portions of their PRIVATE SYSTEM(S) when found to be failing through maintenance operations.
- 4.6. Ownership, of all COMMON SYSTEM PORTION pumps, lines, mains, extensions and appurtenances, treatment and disposal sites thereto of the CSTS shall remain with the BOARD. Those parts referred to as the PRIVATE SYSTEM(S) PORTION of the CSTS are located on private property, belong to, and are under the ownership of the individual USER, but will be under the operations and management of the BOARD through the permanently recorded access maintenance easements.
- 4.7. It is hereby declared that no USER or other parties, other than authorized personnel are allowed to use or to drive on property used by the BOARD for treatment and disposal of wastewater from the CSTS unless it is for the stated repair and/or maintenance of the wastewater treatment system(s) or for the purposes of required inspections by MPCA,

Rural Development and/or Sherburne County public officials or viewing as authorized by the BOARD.

- 4.8. The BOARD and/or their duly authorized representatives, the Service Management Contractor(s), and any USERS, will annually inspect the physical portion of the CSTS, review maintenance and operation logs, and receive a yearly status report from contractors; the report from the BOARD will become public record for all to examine.
- 4.9. No person shall engage in an act intentionally or carelessly which results in breaking, damaging, destroying, uncovering, defacing, or tampering with any structure, appurtenances or equipment that is part of the CSTS.
- 4.10. All present and future USERS within the CSTS will be subject to the applicable rules and regulations inclusive of this Ordinance and any of the MPCA permit requirements, and Sherburne County permit requirements, if applicable, as amended from time to time.

SECTION FIVE

RATES, CHARGES AND CONNECTION TO THE CSTS

- 5.1. The BOARD may set such rates, fees and charges, as it deems appropriate.
- 5.2. Notice of adoption of said rates, fees and charges by resolution, shall be kept on file and open to inspection in the office of the Baldwin Township Clerk and shall be uniformly enforced by the BOARD.
- 5.3. All funds collected by the BOARD from such rates, fees and charges that are transferred to the BOARD shall be treated as dedicated fund accounts, and will be used to reduce costs allocated to the financing, maintenance, repair, renovation, system(s) upgrades, and replacement of the CSTS pursuant to the terms of the Joint Powers Agreement.
- 5.4. The BOARD may, under Minnesota Chapter 365A and Minnesota Statutes 366.012 and/or 429.101, certify each year to the Sherburne County Auditor, any unpaid service charges, interest, attorney fees, administrative costs, recording costs and any other fees incurred by the BOARD, which shall then be collected together with property taxes levied against the property. The BOARD must serve written notice to the USER(S) of its intention to certify the charge to the Sherburne County Auditor. Any unpaid charges will be subject to the same penalties, interest, and other conditions provided for in the collection of regular property taxes.
- 5.5. All landowners within the DISTRICT will be required to connect to the CSTS SYSTEM upon completion of the COMMON PORTION. Those landowners that are exempted due to the criteria outlined and provided herein will be required to connect into the CSTS when said exemption is no longer valid.

The BOARD may grant an exemption, on a case by case basis, from immediate connection to the CSTS to those parcels and/or residences that meet the following criteria:

- A. There is an empty parcel;
 - B. Residence is on greater than a three (3) acre lot;
 - C. Residence is too distant to make a cost effective connection to the sewer as determined by the BOARD.
- 5.6. Any wastewater system presently not connected to the CSTS due to an exemption which is located within the boundaries of the DISTRICT will be required to submit a pumping certificate every three (3) years and a Certificate of Compliance every five (5) years according to MPCA Chapter 7080 Rules and any applicable Township or County Ordinance, or their successor Ordinances. At such time that the on-site treatment is identified as non-conforming, failing, or an imminent health threat to the property upon which it is located or to nearby landowners, and the landowner is unable to place another standard conforming septic treatment system on the present property, then the property owner must connect (hook-up) the structure to the CSTS and shall pay all connection costs and a SAC charge at the rate prevailing at the time of connection to the CSTS.
- 5.7. A separate and independent building sewer shall be provided for every building.
- 5.8. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- 5.9. The connection of the building sewer into the public sewer shall conform to the requirements of the State of Minnesota Building and Plumbing Code or other applicable rules and regulations of the BOARD, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight, and verified by proper testing to prevent the inclusion of infiltration/inflow. Any deviation from the prescribed procedures and materials must be approved by the BOARD designated representative prior to installation. The connection and inspection shall be made under the supervision of the authorized representative of the BOARD.
- 5.10. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways, and other public property disturbed in the course of the work, shall be restored in a manner satisfactory to the BOARD.
- 5.11. PROCEDURES FOR CONNECTION TO THE CSTS WITHIN THE DISTRICT. The property owner will comply with the following steps:

- A. **Permits and Application.**
When a USER wishes to build a home, expand or add a bedroom to a present home, said USER shall complete the required building permit applications through Sherburne County, and convey a copy of all necessary approved permits to the BOARD. Where needed, said USER shall also request a service hook-up to the CSTS on an approved form.
- B. **Design Flow Considerations prior to approval of Permit.**
Design work shall be done by USER pursuant to the requirements of this Ordinance as amended from time to time, and in conformance with the general design considerations of the CSTS as determined by the BOARD. A copy of the approved design and a designated registered professional contractor's proposal for completing the hook-up into the CSTS shall be submitted to the BOARD for approval.
- C. **Submittal of All Necessary Permits.**
USER shall also submit to the BOARD a copy of all permits obtained from the Sherburne County and not previously submitted to the BOARD including, but not limited to, all building, accessory, well, and whatever permits necessary for hook-up to the CSTS.
- D. **PERMANENT ACCESS MAINTENANCE EASEMENT.**
Prior to final approval and at time of permit submittals above, a PERMANENT ACCESS MAINTENANCE EASEMENT, from the landowner of record, is to be submitted on a form and a legal description acceptable to the BOARD Attorney and which conveys said easement to the BOARD. Said easement will allow for the following, but not be limited to; construction access, management & perpetual maintenance of any and all portions of the PRIVATE SYSTEM(S) PORTION of the CSTS which are deemed necessary to adequately serve the proposed USER(S) with the CSTS.
- E. **USER Connection to CSTS SYSTEM(S).**
Once all permits are approved by the BOARD and the Sherburne County Environmental Department, the proposed USER will connect to the SYSTEM(S) under the following conditions:
- On-going supervision, by a licensed INSPECTOR and/or Engineer, will be done to insure that the hook-up to the DISTRICT'S SEWER SYSTEM(S) is secure, and will not jeopardize any portion of the present CSTS.
 - Certificate of Compliance by the INSPECTOR and/or Engineer to be issued and a copy provided to the BOARD upon completion of the hook-up.
 - A copy of the as-built drawings and pictures shall be submitted by the CONTRACTOR showing the treatment components and location. These documents shall be submitted to the BOARD by the CONTRACTOR,

showing the final location and construction details for the hook-up to the CSTS. Said as-builts will be placed on file with the BOARD.

5.12. CONNECTION COSTS.

- A. All costs and expenses of connection shall be borne by the USER(S) connecting to the CSTS per each single family dwelling unit. New USER(S) will be required to pay for all construction costs encountered for and on their PRIVATE SYSTEM(S) PORTION, [i.e. closure and abandonment of septic tank and structures, control panel, building sewer lines, lift pump, lift stations, easement condemnations, etc., when and where necessary] as well as any additional costs that might be required in order to connect into the DISTRICT'S CSTS SYSTEM(S). The USER(s) shall indemnify the BOARD from any loss or damage that may be directly or indirectly occasioned by the installation building of the sewer.
- B. The USER will reimburse the BOARD for all costs incurred in connecting said USER to the CSTS including, but not limited to, legal, planning, engineering, and inspection expenses incurred in connection to the CSTS. Said costs will be reimbursed to the BOARD within thirty days (30 days) of billing, unless alternate arrangements are made in writing and approved by the BOARD.

5.13. SEWER AVAILABILITY CHARGES (SAC fees).

The following formula will be used as the sewer availability hook-up charge for any property owner whose property is either initially exempted from connection to the CSTS or is located outside of the original DISTRICT boundaries but which is later admitted into the DISTRICT and which is connected to the CSTS.

- A. Said hook-up charge must be paid by the property owners prior to connection to the SEWER SYSTEM, and shall consist of the following: The Base Connection Fee shall be the sum of the total cost to initially install the CSTS, including all costs incurred by the BOARD to connect all current USERS to the CSTS, less any grant monies used to reduce this cost, divided by the total number of structures initially connected to the CSTS within the DISTRICT.
- B. Interest on the Base Connection Fee shall be calculated at 8% per annum from the date the CSTS begins operating to the date of connection by the requesting property owner(s).
- C. An additional \$5,000 sewer availability charge which may be amended from time to time by BOARD resolution.

SECTION SIX

DAMAGE TO DISTRICT SYSTEM(S) PROHIBITED

- 6.1. The BOARD shall only accept and treat sewage from residences and uses incidental thereto that are permitted by the permit issued by the MPCA and any other lessening authority.
- 6.2. It shall be unlawful for any USER to discharge upon, in or under the ground or to any natural outlet within the service DISTRICT areas any wastewater other than to the CSTS.
- 6.3. It shall be unlawful for any USER to discharge or cause to be discharged any Unpolluted waters such as storm-water, groundwater, roof runoff, subsurface drainage, drain tile lines, swimming pools, into the DISTRICT'S SEWER SYSTEM by means of a sump pump, or otherwise. No USER(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or indirectly to the CSTS.
- 6.4. Unless otherwise agreed to by the BOARD, USERS shall have until May 1, 2017 to disconnect any and all sump pumps, roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or indirectly to the CSTS. If not completed and confirmed by this date, a higher USER rate, as established by the Rate Ordinance and as amended from time to time, will be used for said non-compliant USERS until compliance can be established.

BOARD will contact USERS every other year to enter property and confirm maintenance and compliance with ORDINANCE. If the BOARD is not allowed entrance to confirm continuing compliance, said USER will remain at the higher rate as established until the next billing cycle and compliance can be established.

- 6.5. All USERS must comply with the following provision: Products containing hazardous waste and hazardous substances must not be discharged to a SYSTEM other than in normal amounts of household products and cleaners designed for household use. Substances not intended for use in household cleaning, including solvents, pesticides, flammables, photo finishing chemicals, dry cleaning chemicals, and hair salon chemicals shall not be discharged to the SYSTEM(S).
- 6.6. It shall be unlawful for any USER to discharge liquids or solids into the wastewater of the CSTS SYSTEM that has concentrations or quantities that will harm the collection and treatment portions of the CSTS, endanger lives, or constitute a public health risk or nuisance, or to create any hazard in the receiving waters of the SYSTEM. Examples of such materials that are harmful include, but are not limited to the following:
 - A. Any gasoline, antifreeze, fuel oil, latex paint, oil and/or chemical solvents,

other hazardous oils, or other flammable or explosive liquids, solids or gas. Any waters containing toxic or poisonous solids or liquids, which alone or by interaction with other wastes could release noxious gases, form suspended solids, which interfere with the SYSTEM, or create a condition deleterious to structures, appurtenances, and treatment processes.

- B. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow or proper operation of the wastewater collection SYSTEM(S) such as, but are not limited to, bath salts, bath pearls, ashes, asphalt, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, and other similar items, tar, plastics, disposable diapers, wood, ground or un-ground garbage, whole blood, paper dishes, napkins, cups, milk containers, sanitary napkins and tampons and other similar items as well as the containers for such items.
 - C. Any wastes which directly or indirectly impair the structural durability, the hydraulic functioning, or the treatment process of the CSTS, and whose pollution effects are not effectively altered by ordinary treatment processes and whose presence in the receiving stream would violate county, state and federal water quality standards.
 - D. Gravel, sand, dirt, or other heavy substances not ordinarily considered sewage.
 - E. Pollutants which create a fire or explosion hazard, including any discharge with a flash point less than 60 degrees C (140 degrees F).
 - F. Pollutants which would cause corrosive structural damage to the CSTS, including any waste stream with a pH of less than 5.0.
 - G. Solid or viscous pollutants which would obstruct flow.
 - H. Substances creating heat that would inhibit biological activity, including any discharge that would cause the temperature of the waste stream at the CSTS treatment plant head works to exceed 40 degrees C (104 degrees F).
 - I. Pollutants which produce toxic gases, vapors, or fumes that may endanger the health or safety of workers.
 - J. Any pollutant, including oxygen demanding pollutants such as biochemical oxygen demand, released at a flow rate or pollutant concentration that will cause interference or pass through. (Minn. R. 7049.0140)
- 6.7. The CSTS has been designed to not exceed typical household wastewater flows observed in the region. Nevertheless, should water consumption exceed flow design for the CSTS, the BOARD will initiate any and all water conservation practices including but not limited to the following: prohibiting further water appliances, reduction of water usage,

installation of water meters and monitoring of flows with rate changes to reduce water usage until such time as a new design can be completed to address added flows.

SECTION SEVEN

VIOLATION(S) ARE A MISDEMEANOR

7.1. Any person who willfully or negligently violates any provisions of the Minnesota Pollution Control Agency per Permit No. MN0069388, and/or the provisions of the Ordinance contained herein will be subject to notification of violation(s).

7.2. ENFORCEMENT.

This Ordinance shall be administered and enforced by the BOARD, or its authorized representative(s). The duly authorized representative(s) may institute appropriate action for any violation(s) of this Ordinance at the direction of the BOARD and through the Township Attorney as deemed necessary. Any USER or person who violates a Section, Subdivision, paragraph, or provision of this Ordinance when he or she performs an act or becomes a public nuisance which is hereby prohibited, or declared unlawful or fails to do an act required, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall constitute a misdemeanor and shall be punishable up to maximum penalty for a misdemeanor as provided by state law as amended from time to time, including the costs of prosecution. Each day of non-compliance with any of the terms of this Ordinance shall be considered a separate violation and a separate criminal act.

7.3. ENFORCEMENT OF ORDINANCE PROCEDURES.

A. EMERGENCY AND/OR HAZARDOUS WASTE VIOLATIONS.

In the case where a USER knowingly violates the provisions of this Ordinance by discharging waste deleterious or harmful to said CSTS and causes emergency conditions to exist, the BOARD and its duly authorized representatives shall exercise their authorities to deny further use to offending USER of the CSTS until said violation(s) has been resolved, fines paid and repair of the CSTS have been completed.

B. WRITTEN NOTICE.

Upon a violation of this Ordinance or an emergency to a USER, said USER will receive a written Notice notifying them of the violation and the reasons. The notice shall be served in person or by certified or registered mail to the address on file with the records of the County Auditor.

If the property is not occupied and ownership of the property cannot be ascertained, or in the event that the certified or registered mail is returned, notice is deemed served when posted on the property or deposited in the U.S. Mail. A written notice shall specify the steps to be taken to correct the violation(s), and the time, not to exceed thirty days (30 days), within which the violation(s) must be

corrected. If the violation(s) is not corrected within the time specified within the notice, then the BOARD may abate the violation(s) itself after conducting a hearing.

C. HEARING.

A hearing notice shall be served in the same manner as described above and shall be given at least ten days (10 days) prior to the date of the hearing before the BOARD. In order to expedite matters the BOARD may in its discretion, include notice of the aforementioned hearing in the original notice of violation(s).

D. CORRECTION OF VIOLATION.

If after conducting a hearing on the matter, the BOARD determines that the correction of the violation(s) is necessary to protect the public health, safety and welfare of the USERS, then the BOARD may correct the violation(s), or cause the same to occur, in any manner and using any method that it finds appropriate.

7.4. COSTS TO CORRECT VIOLATION(S).

The cost of and correction of the violation(s) shall be borne by the offending USER(s). If the BOARD undertakes with the correction of said violation(s), it shall bill the landowner and/or USER, for all cost and disbursements associated, including repairs and disposal fees, service fees, interest, recording costs, administrative costs and attorneys' fees. If the USER does not pay such bill, then the BOARD shall certify such unpaid amounts to Sherburne County to be assessed against the property and to be collected with property taxes, pursuant to Minnesota Chapter 365A, and/or Minnesota Chapters 366, 429 and/or other applicable laws.

7.5. BOARD RIGHT TO SEEK ALL AVENUES OF RELIEF.

The BOARD reserves the right to prosecute in criminal court and/or civil court for any remedies, including injunctive relief and reimbursement of all costs and disbursements, including Attorney's fees expended by the Township in enforcing of this Ordinance. Each right or remedy accruing to the Township under this Ordinance or at law is separate and distinct and may, in the Township's discretion, be exercised independently or simultaneously with any other right or remedy.

SECTION EIGHT

AMENDMENTS OR CHANGES

The BOARD may from time to time amend this ordinance. Notice of adoption of said changes by resolution, after a public hearing, shall be kept on file and open to inspection in the office of the Baldwin Township Clerk and shall be uniformly enforced.

SECTION NINE

VALIDITY AND SEVERABILITY

The invalidity of any Section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts.


SECTION TEN

EFFECTIVE DATE

This Ordinance, its rules and regulations for the Frontier Trails Subordinate Service District shall take effect and be in full force immediately following its adoption and publication by the Baldwin Township Board of Supervisors.

Passed by the Town Board of Supervisors of the Town of Baldwin, this 4th day April 2016

BALDWIN TOWNSHIP



Chairman, Bradley Schumacher

ATTEST:



Clerk/Treasurer, Cathy Stevens

EXHIBIT 47

**BALDWIN TOWNSHIP
SHERBURNE COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. 700-01

**AMENDMENT TO ORDINANCE 700 GOVERNING THE FRONTIER TRAILS
WASTEWATER TREATMENT AND COLLECTION SYSTEM**

Baldwin Township, Sherburne County, Minnesota, hereby ordains that Ordinance No. 700, Section 6.5 is hereby amended to read as follows:

- 6.5. All USERS must comply with the provisions of 7080.1150, sub. 2, Chapter 7080, Minnesota Pollution Control Agency's rules, which are incorporated herein and stated as such; "Products containing hazardous waste and hazardous substances must not be discharged to a SYSTEM other than in normal amounts of household products and cleaners designed for household use. Substances not intended for use in household cleaning, including solvents, pesticides, flammables, photo finishing chemicals, dry cleaning chemicals, and hair salon chemicals shall not be discharged to the SYSTEM(S)".

This Amended Ordinance shall take effect and be in full force immediately following its adoption and publication.

Passed by the Baldwin Township Board of Supervisors this 20th day of June 2016.

BALDWIN TOWNSHIP



Brad Schumacher, Chairman

ATTEST:



Cathy Stevens, Clerk

EXHIBIT 48

**BALDWIN TOWNSHIP
SHERBURNE COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. 700-02

AMENDMENT TO ORDINANCES 700 and 700-01 GOVERNING THE "FRONTIER TRAILS" WASTE WATER TREATMENT AND COLLECTION SYSTEM

Baldwin Township, Sherburne County, Minnesota, hereby ordains that Ordinances No. 700 and 700-01, Section 6.5 are hereby amended to read as follows:

- 6.5. All USERS must comply with the following provision: Products containing hazardous waste and hazardous substances must not be discharged to a SYSTEM other than in normal amounts of household products and cleaners designed for household use. Substances not intended for use in household cleaning, including solvents, pesticides, flammables, photo finishing chemicals, dry cleaning chemicals, and hair salon chemicals shall not be discharged to the SYSTEM(S).

The Town Board further ordains that Ordinance No. 700, Section 5.2 is hereby amended to read as follows:

- 5.2. Notice of adoption of said rates, fees and charges by resolution, shall be kept on file and open to inspection in the office of the Baldwin Township Clerk and shall be uniformly enforced by the BOARD.

This Amended Ordinance shall take effect and be in full force immediately following its adoption and publication.

Passed by the Baldwin Township Board of Supervisors this 20th day of November 2017.

BALDWIN TOWNSHIP



Brad Schumacher, Chairman

ATTEST:

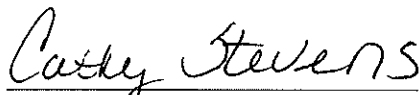

Cathy Stevens, Clerk/Treasurer

EXHIBIT 49

BALDWIN TOWNSHIP SHERBURNE COUNTY STATE OF MINNESOTA

ORDINANCE NO. 800

AN ORDINANCE ESTABLISHING CHARGES FOR EMERGENCY RESPONSE SERVICES

THE TOWN BOARD OF BALDWIN TOWNSHIP, SHERBURNE COUNTY, MINNESOTA
DOES HEREBY ORDAIN:

Section 1. Findings, Purpose, and Intent. This ordinance is adopted for the purpose of authorizing Baldwin Township to establish and charge user service charges for Emergency Services as described in this Ordinance as authorized by Minnesota Statutes Sections 366.011 and 366.012. The intent of this Ordinance is to recover costs for services, so that Township residents are not subsidizing the provision of emergency services.

Section 2. Definitions. The following terms shall apply in the interpretation and application of this ordinance.

1. “Commercial Building” and “Institutional Building” mean any structures that are used or intended either by the nature of its construction or by any conditional use permits, interim use permits or business licenses issued to be used for commercial, institutional or industrial purposes. Multiple family rental housing of any type is considered to be commercial for the purposes of this Ordinance.
2. “Deployment” means the dispatch of the Fire Department personnel or equipment.
3. “Emergency Medical Response (Non Motor Vehicle Incident)” is any medical response not involving a motor vehicle where the Fire Department is able to render aid, provide assistance, or otherwise improve the conditions of any injured persons.
4. “Excavator” means a person who conducts excavation.
5. “False Alarm” means a request for Fire and Emergency Services, when a fire, medical situation, or Motor Vehicle accident did not exist in the sole determination of the Township. The malfunction of an electronic alarm is considered a False Alarm.
6. “Fire and Emergency Services” means any deployment of the Fire Department personnel or equipment or to perform any preventative measure in an effort to protect life, equipment, or property in performance of fire suppression, rescue, extrication, medical or any other services that the Fire Department may provide.
7. “Fire Department” means Baldwin Fire Department.

8. "Fire Response" means any deployment of fire fighting personnel and/or equipment to extinguish a fire or perform any preventative measure in an effort to protect equipment, life, or property in an area threatened by fire. It also includes the deployment of fire fighting personnel and/or equipment to provide fire suppression, rescue, extrication, or any other services related to fire and rescue as may occasionally occur. Such deployment constitutes fire response regardless of whether these services are actually performed.
9. "Fire Service Charge" means the charge imposed by the Township for a Fire Response or Emergency Medical Response.
10. "Hazardous Substance" means any chemical or chemical compound that is listed as a hazardous substance in rules adopted under Minnesota Statutes Chapter 182.
11. "Illegal Activities" means any activity in violation of Minnesota statute, rules and regulations, or Township or county ordinances, which may be criminal or merely not in conformity therewith.
12. "Motor Vehicle" means any self-propelled vehicle designed and originally manufactured to operate primarily upon public roads and highways, and not operated exclusively upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle. This includes semi trailers, snowmobiles, all terrain vehicles and campers.
13. "Motor Vehicle Owner" means any person, firm, association, or corporation owning or renting a motor vehicle, or having the exclusive use thereof, under a lease or otherwise, for a period of greater than 30 days.
14. "Mutual Aid Agreement" means an agreement between the Township and a town or city for the Fire Department to provide assistance to the fire department of the town or city.
15. "Person" means the state, a public agency, a local governmental unit, an individual, corporation, partnership, association, business, public entity or a trustee, receiver, assignee, or personal representative of any of them.
16. "Residential Building" means any structure which is used or intended by the nature of its construction to be used by persons for living and sleeping quarters, but shall not include multi-family housing, hotels, motels, or other buildings intended primarily for transient lodging. Residential Buildings shall also include outbuilding, barns and other structures which are not defined as Commercial or Institutional buildings as defined herein.
17. "Underground Pipeline Utility" means an underground line, facility, system, and its appurtenances used to produce, store, convey, transmit, or distribute gas, oil, petroleum products, and other similar substances.
18. "Vacant Parcel" means any property parcel that does not include any building improvements.

Section 3. Conflicts. In the event of any conflict between the provisions of this ordinance and applicable provisions of State law, rules or regulations, the latter shall prevail.

Section 4. Fire Service Charges in General.

1. The collection of fire service charges for the provision of Fire Response and Emergency Medical Response shall be pursuant to Minnesota Statute §§ 366.011 and any other applicable statute. Collection of unpaid service charges shall be as authorized in Minnesota Statute § 366.012.
2. Said fees shall be charged as set forth in Section 5 below.
3. The Fire Department and/or the Town Board shall be responsible for invoicing and collecting fire service charges pursuant to the terms of this Ordinance.
4. For incidents where a fee is charged, the fee shall be calculated on the basis of the personnel and equipment which respond to the incident as set forth on the schedule attached as Exhibit A. All personnel and equipment provided by other fire departments pursuant to a mutual aid request of the Township's Fire Department shall be billed as if such personnel and equipment were provided by the Township's Fire Department.
5. When a particular service rendered by the Fire Department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited shall be liable for the payment of the full charge for such service to his or her respective property or person.
6. Parties billed the fire service charge will have 30 days to pay. If the service charge is not paid by that time, it will be considered delinquent and the Township will send notice of delinquency.
7. If the fire service charge remains unpaid for 30 days after this notice of delinquency is sent, the Township will use all practical and reasonable legal means to collect the service charge including the provisions of Minn. Stat. § 366.012. The party receiving the service shall be liable for all collection costs incurred by the Township including, but not limited to, administrative costs, attorney's fees, recording fees and court costs.
8. Any party aggrieved by a charge authorized in this Ordinance may appeal the charge as follows:
 - a. Within the time period for which a bill is payable, the party shall file a written request with the Town Clerk setting forth specific reasons why the charge is improper.
 - b. The Town Clerk shall notify the aggrieved party, in writing, of the time, place and date the Town Board will hold a hearing on the issue.

- c. The Town Board may grant relief on appeal if it finds good cause and sufficient proof to satisfy the Town Board.
- d. The Town Board may extend the time for payment for a reasonable period.
- e. The Township reserves the right to review the fee schedule annually.

Section 5. Fire Service Charges. The service charges for Fire Responses or Emergency Medical Responses shall be as follows:

1. Emergency Medical Response (Non Motor Vehicle Incident):

- a. Emergency Medical Response (Non Motor Vehicle Incident) is any medical response not involving a motor vehicle where the Fire Department is able to render aid, provide assistance, or otherwise improve the conditions of any injured persons.
- a. With regard to emergency medical response (non motor vehicle incident), there shall be no charge, provided, however, that should it be determined by the Township that the medical response falls within Section 5, subparts 2, 8, 9, and 10 of this ordinance as set out below, then an invoice for the cost of the Fire Department response to the medical emergency will be sent to the property owner or owner's insurance company based on the fee schedule set forth on the attached Exhibit A. The Township reserves the right to review the fee schedule annually.

2. Motor Vehicle Incident:

- a. A motor vehicle incident is any response involving a motor vehicle where the Fire Department is able to render aid, provide assistance, or otherwise improve the conditions of any injured persons. This would include but not be limited to: Vehicle Fire, Extrication, Medical Care, Absorbing Liquid Spills, Vehicle System Safety, Vehicle Stabilization, and Traffic Control.
- a. An invoice will be sent to the motor vehicle owner or owner's insurance company for the cost of the Fire Department response to the motor vehicle incident based on the fee schedule set forth on the attached Exhibit A.
- c. If there is more than one motor vehicle involved for which Fire Department service is provided, each motor vehicle owner or insurer will be invoiced an equal share of the service charge.

3. Residential Fire:

- a. A residential fire is any incident response to a fire involving a residential building as defined in this ordinance.

- b. With regard to residential building fires, an invoice for the cost of the Fire Department response for a residential building fire will be sent to the property owner or owner's insurance company based on the fee schedule set forth on the attached Exhibit A. However, should it be determined by the Township that the residential fire response falls within Section 5, subparts 9, 10 or 11 of this Ordinance as set out below, then an invoice for the cost of the Fire Department response will be sent to the property owner, hazardous waste generator, person(s) charged with arson who set the fire, and/or the person(s) charged with an illegal crime which contributed to the need for fire response. All such charges shall be based on the fee schedule set forth on the attached Exhibit A.

4. Commercial or Institutional Building Fire Response:

- a. A commercial or institutional building fire is any incident response to a fire involving a commercial or institutional building as defined in this ordinance.
- b. With regard to commercial or institutional building responses by the Fire Department, an invoice will be sent to the property owner or owner's insurance company for the cost of the Fire Department response to the commercial or institutional incident based on the fee schedule set forth on the attached Exhibit A.

5. Grass Fires Within a State Trunk Highway or County Right-of-Way:

- a. A grass fire is any incident response to a grass fire within or outside of the right-of-way of a state trunk highway, county road or Township road if the fire originated within the right-of-way of a state trunk highway, county road or Township road as defined in Minnesota State Statute §161.465.
- b. An invoice will be sent to the Minnesota Commissioner of Transportation or to the county administrator for costs incurred by the Fire Department to respond based on the fee schedule set forth on the attached Exhibit A.

6. Technical Rescue:

- a. A technical rescue is any incident response to a rescue on the water, ice, confined space, trench, high or low level where specialized equipment and training are required and where the Fire Department is able to render aid, provide assistance, or otherwise improve the conditions of the persons in need of rescue.
- b. An invoice will be sent to the person, entity or business receiving rescue service for costs incurred by the Fire Department to respond based on the fee schedule set forth on the attached Exhibit A.

7. Search and Rescue:

- a. A search and rescue is any incident response to a search and/or rescue of a missing person where the Fire Department is able to render aid, provide assistance, or otherwise improve the conditions of the person in need of rescue.
- b. With regard to search and rescue services, there shall be no charge.

8. Underground Pipeline Utility Breaks:

- a. An underground pipeline utility break is any incident response to an underground pipeline utility break if caused by an excavator or person other than a homeowner or resident operating on their own property.
- b. An invoice will be sent to the excavator or person responsible for the pipeline utility break for costs incurred by the Fire Department to respond based on the fee schedule set forth on the attached Exhibit A.
- c. In addition, the bill for service shall also include any cost of cleanup of any contaminated equipment and/or repair of any equipment damaged during the incident or its replacement, along with replacement of any disposable equipment, supplies, and/or communication equipment.

9. Hazardous Material:

- a. A hazardous material incident is any response to the release of hazardous material from its container, or the threat of a release of a hazardous material from its container, chemical reaction, or other potential emergency as the result of a hazardous material where the Fire Department is able to render aid, provide assistance, or otherwise improve the conditions or protect the public.
- b. An invoice will be sent to the person responsible for the hazardous material or transportation of the hazardous material for costs incurred by the Fire Department to respond based on the fee schedule set forth on the attached Exhibit A.
- c. In addition, the bill for service shall include any cost of cleanup of any contaminated equipment and/or repair of any equipment damaged during the incident or its replacement, along with replacement of any disposable equipment, supplies, and/or communication equipment.

10. Fire as the Result of Illegal Activities:

- a. A fire as the result of illegal activities is any incident response to a fire that resulted from illegal activities occurring on the property as defined in this ordinance. Examples of this would include, but not be limited to, methamphetamine labs, commercial and industrial operations where a necessary permit or license is required

but has not been obtained from the Township, or the burning of debris without a properly issued burn permit.

- b. An invoice will be sent to the property owner, owner's insurance company, and/or the person(s) responsible for the illegal activity for costs incurred by the Fire Department to respond based on the fee schedule set forth on the attached Exhibit A. The Fire Department reserves the right to seek reimbursement through restitution should the person responsible for the illegal activity be convicted of a crime related to the incident.
- c. In addition, the bill for service shall include any cost of cleanup of any contaminated equipment and/or repair of any equipment damaged during the incident or its replacement, along with replacement of any disposable equipment, supplies, and/or communication equipment.

11. Arson Fire:

- a. An arson fire is any incident response to a fire where a person is charged under Minnesota Law.
- b. An invoice will be sent to the property owner, owner's insurance company and/or the person charged with the arson for costs incurred by the Fire Department to respond based on the fee schedule set forth on the attached Exhibit A.
- c. In addition, the bill for service shall include any cost of cleanup of any contaminated equipment and/or repair of any equipment damaged during the incident or its replacement, along with replacement of any disposable equipment, supplies, and/or communication equipment.
- d. The Fire Department reserves the right to seek reimbursement through restitution should the person responsible for the fire be convicted of a crime related to the incident. The fire investigator responsible for the incident investigation will forward all costs expended by the Fire Department in association with the incident to the court for reimbursement through restitution.

12. Fire on Vacant Land:

- a. A fire on vacant land is any incident response to a fire involving a fire on vacant parcel as defined in this ordinance.
- b. An invoice will be sent to the property owner or owner's insurance company for costs incurred by the Fire Department to respond based on the fee schedule set forth on the attached Exhibit A.

Section 6. Repealer. All prior ordinances to the extent that they are inconsistent with the terms and provisions of this Ordinance, shall be deemed repealed after the effective date of this ordinance with regard to those inconsistent terms and provisions.

Section 7. Effective Date. This Ordinance shall take effect upon its passage and publication.

PASSED AND ADOPTED BY THE TOWN BOARD OF BALDWIN TOWNSHIP ON THE 18th DAY OF December 2017.



Brad Schumacher, Chairman

ATTEST:



Cathy Steyens, Town Clerk

EXHIBIT A

Firefighters	\$15/hour per firefighter
Fire Reports	\$20 per report plus copying costs
Grass Fires	As per the current DNR agreement
Pool filling	\$105 per load for chlorinated water \$75 per load for well water
Motor Vehicle Incident with extraction	\$400 plus cost of firefighters
Motor Vehicle Incident without extraction	\$0 plus cost of firefighters
Residential Fire	
Chimney Fire (no extension)	\$0 plus cost of firefighters
Residential Fire	\$0 plus cost of firefighters
Illegal burning	\$250 plus cost of firefighters
Illegal Activities (not burning)	\$250 plus cost of firefighters
Arson Fire	\$250 plus cost of firefighters
Fire on Vacant Land	\$0 plus cost of firefighters
Technical Rescue	\$0 plus cost of firefighters
Hazardous Materials Response	\$1,000 plus cost of firefighters
Commercial or Institutional Building Fire	\$0 plus cost of firefighters
Grass Fires within State Trunk Highway Or County Right-of-Way	As per the current DNR agreement
Underground Pipeline Utility Break	\$0 plus cost of firefighters

EXHIBIT 50

**BALDWIN TOWNSHIP
SHERBURNE COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. 800-01

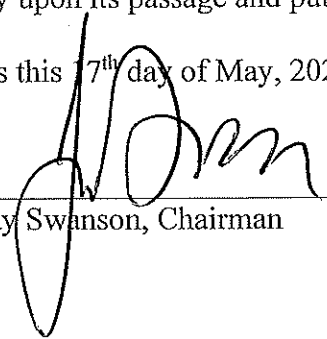
**AMENDMENT TO ORDINANCE NO. 800; ESTABLISHING CHARGES FOR
EMERGENCY RESPONSE SERVICES**

Baldwin Township, Sherburne County, Minnesota, hereby ordains that Ordinance No. 800, Section 2.7 is hereby amended to read as follows:

2.7. "Fire Department" means Baldwin Fire Department.

This Amended Ordinance shall take effect immediately upon its passage and publication.

Passed by the Baldwin Township Board of Supervisors this 17th day of May, 2021.



Jay Swanson, Chairman

ATTEST:



Cathy Stevens, Town Clerk

EXHIBIT 51

ORDINANCE NO.: 900

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE ADOPTING THE BALDWIN TOWNSHIP ZONING ORDINANCE.

THE BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP DOES HEREBY ORDAIN:

Section 1. The Baldwin Township Zoning Ordinance incorporated by reference consisting of the following chapters:

Chapter 1:	Title and Application
Chapter 2:	Rules and Definitions
Chapter 3:	Text and Map Amendments
Chapter 4:	Conditional Use Permits
Chapter 5:	Interim Use Permits
Chapter 6:	Variances
Chapter 7:	Appeals
Chapter 8:	Administrative Permits
Chapter 9:	Site and Building Plan Review
Chapter 10:	Administration
Chapters 11-14:	Reserved
Chapter 15:	Non-Conformities
Chapter 16:	General Performance Standards
Chapter 17:	Lot, Yard, and Building Standards
Chapter 18:	Accessory Uses, Structures, and Buildings
Chapter 19:	Landscaping, Screening, and Fences
Chapter 20:	Exterior Storage
Chapter 21:	Parking and Loading
Chapter 22:	Reserved
Chapter 23:	Signs
Chapter 24:	Animal Feedlots
Chapter 25:	Land Excavation and Mining
Chapter 26:	Home Occupations
Chapter 27:	Antennas
Chapter 28:	Reserved
Chapter 29:	Alternative Energy Systems
Chapter 30:	Sexually Oriented Uses
Chapter 31:	Private Motor Sport Vehicles
Chapters 32-44:	Reserved
Chapter 45:	Zoning Districts

Chapters 46-50:	Reserved
Chapter 51:	R1, General Rural District
Chapters 52-60:	Reserved
Chapter 61:	C1, General Commercial District
Chapters 62-70:	Reserved
Chapter 71:	I1, General Industrial District
Chapters 72-89:	Reserved
Chapter 90:	S, Shoreland Overlay District
Chapter 91:	WS, Wild and Scenic River Overlay District
Chapter 92:	FP, Floodplain Overlay District

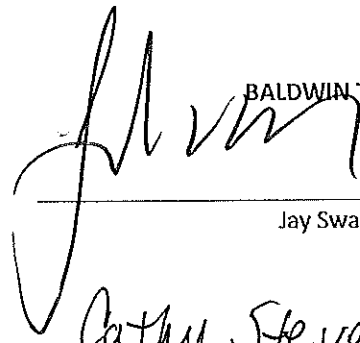
Section 2. This Ordinance shall become effective after passage and publication on May 1, 2022 or a date mutually agreed upon by Baldwin Township and Sherburne County and Department of Natural Resources approval of Chapter 91 and Chapter 92 of the Zoning Ordinance.

Section 3. Applications for approvals under the provisions of this Ordinance submitted to Sherburne County prior to the effective date of this Ordinance shall be processed and decided by Sherburne County in accordance with Sherburne County Ordinances.

ADOPTED by the Board of Supervisors of Baldwin Township this 18th day of April, 2022.

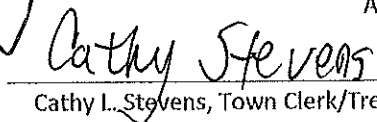
MOTION BY:
 SECONDED BY:
 IN FAVOR:
 OPPOSED:

BALDWIN TOWNSHIP



 Jay Swanson, Chair

ATTEST:



 Cathy L. Stevens, Town Clerk/Treasurer

EXHIBIT 52

ORDINANCE NO.: 900-1

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE BALDWIN TOWNSHIP ZONING ORDINANCE REGARDING PERFORMANCE STANDARDS.

THE BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP DOES HEREBY ORDAIN:

Section 1. Section XX-16-10 of the Baldwin Township Zoning Ordinance is hereby amended to read as follows:

XX-16-10: OUTDOOR LIGHTING: It is the purpose of this section to encourage the use of lighting systems that will reduce light pollution while increasing nighttime safety, utility, and security.

A. Agriculture and Residential Uses:

1. Any lighting used to illuminate an agricultural or residential property shall be arranged as to deflect light away from any adjoining residential property or from any public right-of-way.
2. Bare light bulbs shall not be permitted in view of adjacent property or public right-of-way, unless part of a permanent fixture.

B. Commercial, Industrial, and Institutional Uses: Any lighting used to illuminate a building, structure, parking, or other area within the lot shall be arranged so as to deflect light away from any adjoining property or from any public right-of-way in accordance with the following provisions:

1. Intensity: No light source or combination thereof which cast light on a public right-of-way shall exceed one foot-candle meter reading as measured at the property line nor shall any light source or combination thereof which cast light on adjacent property exceed four-tenths (0.4) foot-candle as measured at the property line.
2. Shielding: Exposure of the light source shall not be permitted in view of adjacent property or public right-of-way and the light fixture shall provide a cutoff which directs the light at an angle of 90 degrees.
3. Height: The maximum height above the ground grade permitted for poles, fixtures, and light sources mounted on a pole or building shall be 35 feet, except as may be allowed by conditional use permit as provided for by chapter 4 of this ordinance.



4. Location: All outdoor light fixtures shall be set back a minimum of 10 feet from public rights-of-way or an interior side or rear lot line.
- C. Exemptions: The provisions of this section shall not apply to the following:
1. Temporary outdoor lighting used during customary holiday seasons.
 2. Temporary outdoor lighting used for civic celebrations and promotions.
 3. Lighting installed by a government jurisdiction or agency within public rights-of-way, required by a government agency for the safe operation of airplanes, or security lighting required on government buildings or structures.
 4. Emergency lighting by sheriff, fire, and rescue authorities.
 5. All outdoor lighting fixtures existing and legally installed prior to April 3, 2023 shall be exempt from regulations of this section but shall direct light away from adjoining properties and public rights-of-way, but whenever replaced by a new outdoor light fixture, the new fixture shall be compliance with the provisions of this section.

Section 2. Section XX-17-5 of the Baldwin Township Zoning Ordinance is hereby amended to add the following provision:

- E. Building heights in excess of the standards established within the individual zoning districts other than the S District or WS District, or this section may be allowed through a conditional use permit provided that for each additional story or for each additional 10 feet above the maximum building height allowed within the applicable zoning district, front and side yard setback requirements shall be increased by five feet.

Section 3. Chapter 17 of the Baldwin Township Zoning Ordinance is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

XX-17-9: COMMERCIAL AND INDUSTRIAL BUILDINGS MINIMUM FLOOR AREA: Principal buildings for commercial and industrial uses having less than 2,000 square feet of floor area may only be allowed upon approval of a conditional use permit as provided for in chapter 4 of this ordinance.

XX-17-10: EXTERIOR FINISH MATERIALS: Buildings in all zoning districts shall maintain a high standard for exterior architecture to ensure a high quality of development and land use compatibility that contribute positively to community image in regard to material quality, visual aesthetics, permanence, and stability and to prevent use of materials that are unsightly, deteriorate rapidly, or cause blight.

A. Allowed Exterior Building Finishes:

1. Grade Categories: For the purpose of this subsection, exterior finish materials shall be divided into categories as follows:

- a. Grade A:
 - (1) Brick, brick face, or custom masonry units (CMU) having a brick like appearance.
 - (2) Glass.
 - (3) Masonry veneer.
 - (4) Natural or artificial stone.
- b. Grade B:
 - (1) Architectural panels with simulated wood or other natural material finish.
 - (2) Exterior insulation and finish system (EIFS).
 - (3) Fiber-cement exterior siding (limited to vertical seam or board/batten style for commercial, industrial uses).
 - (4) Opaque panels.
 - (5) Ornamental metal.
 - (6) Precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, tooled, natural stone veneer, brick face, and/or cast stone type finish with integral color or stain exceeding ASTM G154.
 - (7) Specialty concrete block such as textured, burnished block, or rock faced block with integral color or stain exceeding ASTM G154.
 - (8) Stucco.
- c. Grade C:
 - (1) Aluminum siding.
 - (2) Steel siding.
- d. Grade D:
 - (1) Vinyl siding.
 - (2) Wood; provided, that the surfaces are finished for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood, or cypress.

- e. Except for buildings used for agricultural purposes as defined by this ordinance, no galvanized or unfinished steel or unfinished aluminum buildings (walls or roofs) other than those specifically intended to have a corrosive designed finish such as COR-TEN steel shall be permitted in any zoning district.

- B. Residential Uses: The exterior building finish for principal and accessory residential buildings shall consist of grade A, B, C, and/or D materials.

- C. Commercial And Institutional Uses: The exterior of commercial and institutional buildings shall include a variation in building materials and forms to be distributed throughout the elevations on all sides and coordinated into the design of the structure to create an architecturally balanced appearance that complies with the following:
 - 1. The exterior finish of the principal building shall be composed of a minimum of 20 percent grade A materials; not more than 80 percent grade B materials; and not more than 20 percent grade C materials.
 - 2. The exterior finish of an accessory building(s) or structures(s) shall be consistent with the principal building and composed of grade A, B, and or C materials.

- D. Industrial Uses:
 - 1. The exterior building finish for an elevation of principal and accessory industrial buildings facing public rights-of-way of US Highway 169, 128th Street, 313th Avenue, or Rum River Drive or rural zoning districts shall consist of a minimum of 60 percent grade A and B materials together with a maximum of 40 percent grade C materials.
 - 2. Elevations of a principal building not facing those public rights-of-way listed in section XX-17-10.D.1 of this ordinance or a rural zoning district and accessory buildings and structures shall be comprised of grade A, B, or C materials.

- E. Exceptions: Exceptions to the exterior finish requirements of this section are allowed, provided that:
 - 1. The use is an essential service as defined in section XX-2-2 of this ordinance.
 - 2. Remodeling or maintenance that does not increase the gross floor area of a building or structure existing as of April 3, 2023 may utilize the same or any higher-grade materials.
 - 3. Upon approval of a conditional use permit in accordance with chapter 4 of this ordinance provided that the town board finds that the applicant satisfies that the following are met:
 - a. There is demonstrated need for the proposed exterior finish material or exception from the requirements of this section, which is not based on economic considerations.
 - b. The exterior finish of the proposed building maintains the quality in design and materials intended by this ordinance.

- c. The exterior finish of the proposed building design and materials are compatible with other structures within the district.

XX-17-11: FOUNDATIONS: Single family dwellings and buildings within the C1 District shall be constructed with continuous structural load bearing perimeter foundations.

Section 4. Section XX-19-2 of the Baldwin Township Zoning Ordinance is hereby amended to read as follows:

XX-19-2: LANDSCAPING:

- A. All exposed ground areas, including rights-of-way and areas not devoted to buildings, structures, off-street parking, drives, sidewalks, patios or other such improvements shall be landscaped with grass, shrubs, trees (except within the public right of way) or other ornamental landscape materials.
- B. All residential plats, commercial, industrial and institutional uses approved after April 3, 2023:
 - 1. Lots developed with single family dwellings shall provide a minimum of two deciduous shade or evergreen trees per acre.
 - 2. All commercial uses, institutional uses, and industrial uses shall provide a landscape plan and specifications to be installed with an emphasis upon the following areas:
 - a. The boundary or perimeter of the proposed site at points adjoining other property.
 - b. The immediate perimeter of the structure.
 - c. The perimeter of parking and loading areas within the front yard or side yard of a corner lot abutting a public right-of-way.
 - d. Quantities:

Districts	Yard		
	Front	Side	Rear
Rural	-1 shade or evergreen tree/50ft. of frontage - Turf grass	-1 shade or evergreen tree/50ft. of frontage or - 1 ornamental tree/35ft. -Turf grass	Turf grass or natural landscape
Commercial	-1 shade or	-1 shade or	Turf grass or

	evergreen tree/50ft. of frontage - Turf grass	evergreen tree/50ft. of frontage or - 1 ornamental tree/35ft. -Turf grass	natural landscape
Industrial; only lots abutting US Highway 169, 128 th Street, 313 th Avenue, or Rum River Drive	-1 shade or evergreen tree/50ft. of frontage - Turf grass	Turf grass	Turf grass or natural landscape
Other Industrial	Turf grass	Turf grass	Turf grass or natural landscape

3. All landscaping required by this section and section XX-19-3 shall conform to the following standards:

a. Plantings suitable for complying with this section shall be subject to approval by the zoning administrator with the following species prohibited:

- (1) Ash (*Faxinus* spp.)
- (2) Box Elder (*Acre negundo*)
- (3) Cottonwood (*Populus deltoides*)
- (4) Ginko, female only (*Ginkgo biloba*)
- (5) Siberian Elm (*Ulmus pumila*)

b. All plants shall be at least equal the following minimum size in conformance with American Nursery Association standards measured from the top of the ball or container to the top of the tree/shrub or bottom of the evergreen leader as shown below:

		Potted/Bare Root Or Balled And Burlapped
Low shrubs:		
	Deciduous	24 inches
	Evergreen	24 inches

Spreading evergreen	24 inches
Tall shrubs	4 feet high
Ornamental trees	2 inch diameter or 6 foot high clump form
Shade trees	2 ¹ / ₂ inch diameter
Evergreen trees	8 feet high

c. Spacing of Required Plantings:

- (1) Landscaping required by this section may be planted in rows or in clusters within the yard.
- (2) Tree centers shall be a minimum of 20 feet from a property line, shrub centers shall be a minimum of five from a property line, and the mature coniferous tree, ornamental tree, and shrub canopy shall remain within the lot without encroaching into another lot or public right-of-way with the required minimum setback to be determined by the zoning administrator based on the species of tree or shrub.
- (3) Where massing of plants or screening is intended, large deciduous shrubs shall be planted so that their branches are touching at the narrowest projected mature width.
- (4) Trees or shrubs shall not be planted within a public right-of-way.
- (5) Trees shall be planted outside of drainage and utility easements unless approved by the zoning administrator.

d. Final site grading shall provide for slopes not steeper than one foot vertical for each three feet horizontal.

C. Installation and Warranty:

1. All required plantings, fences, and/or berms shall be installed or planted prior to issuance of a certificate of occupancy or a security required in accordance with section XX-9-6 of this ordinance to ensure compliance with this chapter.
2. All new plants shall be guaranteed for 12 months from the time planting has been completed.
3. All plants shall be alive, in good health, of good quality and structural condition, and insect and disease free at the end of the warranty period or be replaced.
4. Any replacements shall be warranted for 12 months from the time of planting.

- D. All landscaped areas shall be maintained by the property owner and kept neat, clear and uncluttered, and where landscaping is required as part of town approvals, any plant material which is diseased or dies shall be replaced with like kind of the original size.
- E. No landscaped area shall be used for the parking of vehicles or for the storage or display of materials, supplies or merchandise, unless specifically approved by the town.
- F. Plantings placed upon utility easements are subject to removal by the town or utility company if required for maintenance or improvement of the utility with such costs for removal and replacement the responsibility of the property owner.

Section 5. Section XX-19-3 of the Baldwin Township Zoning Ordinance is hereby amended to read as follows:

XX-19-3: SCREENING: Where any commercial, industrial, or institutional use is within or abuts a rural district, that use shall provide screening along the property line abutting any property in the rural district, not including when separated by a public right-of-way, consisting of a landscaped buffer yard as provided for below:

- A. A buffer yard shall include a greenbelt planting strip consisting of evergreen trees and/or deciduous trees, and shrubs of a sufficient density to provide a substantially continuous visual screen at maturity of the installed plantings designed as follows:
 - 1. The buffer yard shall be a minimum of 20 feet in width.
 - 2. The buffer yard shall provide continuous visual screening to a minimum height of eight feet determined from the grade elevation of the building, parking area, or use for which the screening is providing protection, unless otherwise established by the zoning administrator.
 - 3. All plantings within the buffer yard shall consist of a mix of shrubs, shade trees, and evergreen trees adhering to the following design standards:
 - a. Plant material centers shall not be located closer than five feet from the property line.
 - b. Landscape materials shall be planted in two or more staggered rows unless approved by the zoning administrator.
 - c. Deciduous shrubs shall not be planted more than four feet on center, and/or evergreen shrubs shall not be planted more than three feet on center.
 - d. Deciduous trees shall be planted not more than 40 feet on center.
 - e. Evergreen trees shall be planted not more than 25 feet on center.

B. The Town Board may also require a fence to be installed for screening, but not in lieu of plantings required by this section, subject to the following provisions:

1. The fence shall be constructed of masonry, brick, vinyl, other or maintenance free composite materials approved by the zoning administrator.
2. The fence shall provide a solid screening effect and shall be a minimum of six feet in height, but shall not exceed eight feet in height, determined at the grade elevation of the building or use for which the screening is providing protection, unless otherwise established by the zoning administrator.

C. Earth berms shall be physical barriers that screen the view similar to landscaping, fence, or wall and may also be installed for screening, but not in lieu of plantings required by this section, subject to the following provisions:

1. A difference in elevation between areas requiring screening does not constitute an existing earth berm and shall not be considered as fulfilling any screening requirement for the purposes of this section unless otherwise provided for.
2. The height of the required earth berm shall be measured from:
 - (a) Existing grade located next to but not on the earth berm when provided next to a common property line;
 - (b) The grade of the parking lot when used to screen off street parking areas; and
 - (c) From the centerline of the road when used to screen property from adjacent rights of way.
3. Earth berms shall be constructed with slopes no steeper than one foot vertical for each three feet horizontal, with a minimum two foot wide crest on top of the berm.
4. Earth berms may undulate in height and from side to side, provided that the minimum opacity requirements are met.
5. The earth berm shall contain no less than six inches of topsoil.

Section 6. Section XX-20-2 of the Baldwin Township Zoning Ordinance is hereby amended to read as follows:

XX-20-2: COMMERCIAL AND INDUSTRIAL DISTRICTS: In any commercial or industrial districts established by chapter 45 of this chapter, open storage of materials or goods shall be allowed as an accessory use subject to approval of an interim use permit in accordance with chapter 5 of this ordinance.

Section 7. Chapter 20 of the Baldwin Township Zoning Ordinance is hereby amended to add the following provisions:

XX-20-3: PERFORMANCE STANDARDS:

1. Location. The outdoor storage area shall be located only in a side or rear yard.
2. Setbacks:
 - a. The outdoor storage area shall comply with the accessory structure setback requirements of the applicable zoning district.
 - b. The outdoor storage area shall be setback a minimum of 50 feet from any lot line abutting a rural district.
3. Screening. Landscaping and/or a solid fence of sufficient height shall be required to screen the outdoor storage area from view from public rights-of-way or abutting rural districts in accordance with section XX-19-3 of this ordinance.
4. Surfacing: The outdoor storage area be surfaced with a material suitable to control dust and manage stormwater drainage, subject to approval of the town engineer.

Section 8. Section XX-21-1 of the Baldwin Township Zoning Ordinance is hereby amended to read as follows:

XX-21-1: PURPOSE: The regulation of on-site parking areas in this chapter is to alleviate or prevent congestion of the public rights of way and to promote the safety and general welfare of the public, by establishing minimum requirements for on-site parking motor vehicles in accordance with the intensity of utilization of various parcels of land or structures.

Section 9. Section XX-21-3 of the Baldwin Township Zoning Ordinance is hereby amended to read as follows:

XX-21-3: GENERAL PROVISIONS:

- A. Required Site Plan: Any application for a building permit shall include a site plan drawn to scale and dimensioned, showing on-site parking and loading space to be provided in compliance with this chapter.
- B. Reduction of Parking and Loading Space: Existing on-site parking spaces provided to comply with the provisions of this Ordinance shall not subsequently be reduced below the requirements of this Ordinance.
- C. Change Of Use or Occupancy of Land: No change of use or occupancy of land already dedicated to parking spaces or drive aisles shall be made, nor shall any sale of land, division or subdivision of land be made that reduces area necessary for parking, parking stalls, or parking requirements below the minimum prescribed by this chapter.

- D. **Change Of Use or Occupancy of Buildings:** Any change of use or occupancy of any building or buildings, including additions thereto, requiring more parking area shall not be permitted until there is furnished such additional parking stalls as required by this chapter.
- E. **Use of Spaces.** On-site parking spaces shall not be used for storage of goods or for storage of vehicles that are inoperable or for sale or rent.
- F. **Computing Requirements:** In computing the number of such parking spaces required, the following rules shall govern:
 - 1. Floor space shall mean the gross floor area of the specific use.
 - 2. Where fractional spaces result, the parking spaces required shall be constructed to be the nearest whole number.

Section 10. Section XX-21-4 of the Baldwin Township Zoning Ordinance is hereby amended to read as follows:

XX-21-4: LOCATION:

- A. Required on-site parking space shall be provided on the same parcel or lot as the principal building or use, except that combined or joint parking facilities may be provided for one or more buildings or uses in commercial or industrial districts upon approval of a conditional use permit in accordance with chapter 4 of this ordinance, provided that the total number of spaces shall equal the sum of the requirements for each building or use.
- B. **Setbacks:**
 - 1. Except for single family dwellings, there shall be no parking stalls or drive aisle(s) within:
 - a. 15 feet of any public right-of-way.
 - b. 10 feet from interior side and rear lot lines.
 - c. 20 feet from an interior side or rear lot line abutting a rural district.
 - 2. Parking for single family dwellings shall not be located within any required front, side, or rear yard.

Section 11. Section XX-21-6.B of the Baldwin Township Zoning Ordinance is hereby amended to read as follows:

- B. **Construction:** Parking stalls and drive aisles shall be constructed in compliance with the standards outlined in this chapter and the following provisions:
 - 1. **Grading:**

- a. The grade elevation of any parking area or driveways shall not exceed:
 - (1) Single family dwellings: 10% percent
 - (2) All other uses: 4% percent
 - b. Plans for surfacing and drainage of driveways and stalls for parking areas of five or more vehicles shall be submitted, subject to review and approval of the town engineer.
2. Surfacing:
- a. Farmsteads, farming operations, single family dwellings on an unplatted parcel not accessed from a paved public road, and town essential service, or park uses shall have driveways and parking areas surfaced with materials suitable to control dust and drainage.
 - b. Residential uses accessed from a paved road shall provide the following surfaces:
 - (1) The portion of the driveway within the public right-of-way shall be surfaced with asphalt or concrete.
 - (2) For preliminary platted lots approved after April 3, 2023, the driveway shall be surfaced with asphalt, concrete, cobblestone, or paver brick at least within the required front yard equal to the front yard setback.
 - c. Commercial, institutional, and industrial uses shall have driveways and parking stalls surfaced with asphalt, concrete, cobblestone, or paving brick.
 - d. Commercial, industrial, and institutional parking stalls and drive aisles shall be constructed in accordance with the following minimum tonnage standards, except as may be required or exempted by the town engineer:
 - (1) One and one-half inch wear course.
 - (2) Two inch base course.
 - (3) Six inch aggregate base (class 5).
 - (4) Subgrade subject to approval of the town engineer approval.
 - e. A minimum one lift of surface as required by this section shall be installed prior to issuance of a certificate of occupancy or a security deposited with the town to ensure completion of the improvement in accordance with section XX-9-6 of this ordinance.
3. Curb Barrier: For commercial, industrial, and institutional uses, a 6-inch high, poured-in-place concrete curb shall be provided at the perimeter of all parking stalls and drive aisles, except that a concrete bollard may be allowed as a barrier as provided for below:

- (a) Expansion of existing on-site parking constructed without perimeter concrete curb prior to April 3, 2023.
 - (b) Parking stalls and drive aisles located within a side or rear yard within the I1 District.
4. Striping: All on-site parking stalls for commercial, industrial, and institutional uses shall be marked with white or yellow painted lines not less than four inches wide.
- C. Screening: On-site parking areas shall be screened in accordance with the provisions of section XX-19-3 of this ordinance.

Section 12. The Baldwin Township Zoning Ordinance is hereby amended to adopt the following chapter:

**Chapter 22
LOADING AREAS**

- XX-22-1: Purpose
- XX-22-2: Loading Area Required
- XX-22-3: Location
- XX-22-4: Construction Standards
- XX-22-5: Screening
- XX-22-6: Accessory Use, Parking, and Storage

XX-22-1: PURPOSE: The regulation of loading areas in this ordinance is to alleviate or prevent congestion of the public right-of-way and to promote the safety and general welfare of the public by establishing minimum requirements for loading and unloading from motor vehicles in accordance with the utilization of various parcels of land or structures.

XX-22-2: LOADING AREA REQUIRED: Any structure erected or substantially altered for a use that requires the receipt or distribution of materials or merchandise by trucks or similar vehicles, shall provide for loading areas as required for a new structure in accordance with the provisions of this chapter.

XX-22-3: LOCATION:

- A. All required loading areas shall be located on the same lot as the building or use to be served.
- B. It must be demonstrated that semitrailer truck deliveries will not occur at the site or all deliveries will occur at such a time as to not conflict with customer or employee access to the building or interfere with parking demand.
- C. All maneuvering for loading areas shall be accomplished on private property and the area required for maneuvering shall not use any of that portion of the site containing parking stalls or customer service areas.

- D. Access to loading areas from public roads shall comply with standards established by section XX-21-5 of this ordinance.
- E. Loading areas shall not occupy the front yards or the side yard of a corner lot abutting a public right-of-way in commercial and industrial districts except allowed by approval of a conditional use permit in accordance with chapter 4 of this ordinance, provided that:
 - 1. Loading areas shall not obstruct the view of the public right of way from on-site parking access.
 - 2. Loading areas and associated staging areas shall be screened from the abutting public rights of way. Said screening shall consist of either a screening fence or a greenbelt planting strip as provided for by section XX-19-3 of this ordinance.
- F. Setbacks:
 - 1. Minimum setback required from property lines:
 - a. 15 feet of any public right-of-way.
 - b. 10 feet from interior side and rear lot lines.
 - c. 20 feet from an interior side or rear lot line abutting a rural district.

XX-22-4: CONSTRUCTION STANDARDS:

- A. All loading areas shall be surfaced with asphalt or concrete.
- B. Loading areas shall be constructed in accordance with the following minimum tonnage standards, except as may be required or exempted by the town engineer:
 - 1. One and one-half inch wear course.
 - 2. Two inch base course.
 - 3. Six inch aggregate base (class 5).
 - 4. Subgrade subject to town engineer's approval.
- C. A minimum one lift of surface as required by this chapter shall be installed prior to issuance of a certificate of occupancy or a security deposited with the town to ensure completion of the improvement in accordance with section XX-9-6 of this ordinance.

XX-22-5: SCREENING: All loading areas shall be screened and landscaped from abutting and surrounding residential uses and districts and public rights-of-way in compliance with section XX-19-3 of this ordinance.

XX-22-6: ACCESSORY USE, PARKING AND STORAGE: Any space allocated as a required loading area or access drive so as to comply with the terms of this chapter shall not be used for the storage of goods, inoperable vehicles, or snow, and shall not be included as part of the space requirements to meet the parking requirements of chapter 21 of this ordinance.

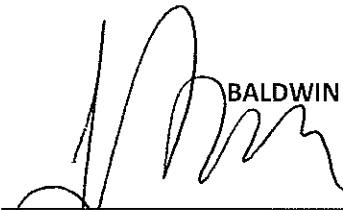
Section 13. Section XX-23-6.C.3 of the Baldwin Township Zoning Ordinance is hereby amended to read as follows:

3. One on-premise business wall sign per public road frontage, not to exceed one square foot of sign area for each horizontal foot of building wall facing a public road up to a maximum of 128 square feet.


Section 14. This Ordinance shall become effective after adoption and publication.

ADOPTED by the Board of Supervisors of Baldwin Township this 3rd day of April, 2023.

MOTION BY:
SECONDED BY:
IN FAVOR:
OPPOSED:


BALDWIN TOWNSHIP

Jay Swanson, Chair

ATTEST:


Joan Heinen, Town Clerk/Treasurer

EXHIBIT 53

ORDINANCE NO.: 900-2

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE ZONING ORDINANCE REGARDING ANIMALS.

THE BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP DOES HEREBY ORDAIN:

Section 1. Section XX-5-4 of the Zoning Ordinance (Interim Use Permits – Specific Use Standards) is hereby amended to add the following provisions and renumber subsequent sections accordingly:

H. Commercial or Private Kennel:

1. An interim use permit issued under this section shall not be transferred to any person other than the person to whom the permit was issued.
2. No more than 40 dogs over six months of age shall be kept on the private and/or commercial kennel property, including no more than 10 unsterilized female dogs over six months of age, unless approved by the Town Board.
3. Dogs must be confined or under direct control of the kennel operator or staff at all times.
4. The owner and/or operator of the private or commercial kennel shall operate the kennel so as to not unreasonably disturb the peace and quiet of any person in accordance with this Ordinance.
5. Outdoor kennel areas shall be fenced consisting of durable materials with a minimum height of six feet and shall deter dogs from escaping over, under, or through the fence.
6. Shelter:
 - a. All-weather kennels or shelters and dog runs or enclosed exercise areas shall be provided for all dogs and shall be adequately sized for the particular breed.
 - b. Kennels may require a building permit if over 200 square feet in area.
7. A waste management plan for proper disposal of animal feces at least once each day shall be submitted to provide for disposal of animal wastes via a subsurface sewage treatment system or enclosed in a container of sufficient construction to eliminate odors and organisms.

8. Location:

- a. Kennels shall be located on a parcel that complies with the minimum lot requirements of the applicable zoning district.
- b. Kennels, runs, and shelters shall be setback a minimum of 500 feet from any existing residence except that of the kennel owner.
- c. Kennels, runs and shelters shall comply with the minimum setback requirements of the applicable zoning district.

Section 2. Chapter 24 of the Zoning Ordinance (Feedlots) is hereby repealed in its entirety and amended to read as follows:

Chapter 24
FARM ANIMALS FEEDLOTS

SECTION

XX-24-1: Purpose

XX-24-2: Application

XX-24-3: Lot Requirements

XX-24-4: Animal Feedlot Tiers

XX-24-25: Feedlot Performance Standards

XX-24-1: PURPOSE: The purpose of this chapter is to regulate keeping of farm animals and farm animals within animal feedlot operations within the town in a manner conducive to public health, safety, and welfare. (Ord. 900, 18 Apr 22)

XX-24-2: APPLICATION:

- A. This chapter shall regulate the keeping of farm animals and animal feedlots as defined by this ordinance.
- B. Keeping of farm animals within pastures shall be exempt from the provisions of this chapter where grass or other growing plants are used for grazing and where the concentration of animals allows vegetative cover to be maintained shall be exempt from the provisions of this chapter except when:
 - 1. in the immediate vicinity of supplemental feeding or water devices;
 - 2. in associated corrals and chutes where livestock are gathered for the purpose of sorting, veterinary service, loading and unloading of trucks and trailers, and other necessary activities related to good animal husbandry practices.
 - 3. In associated livestock access lanes used to convey livestock to and from areas of the pasture, including winter feeding areas.

C. Manure accumulations created by manure packs or mounding shall not be regulated as manure storage areas as defined by this ordinance but shall be managed such that a pollution hazard is not created or maintained.

XX-24-3: LOT REQUIREMENTS: Except for farming or agricultural purposes as defined by this ordinance and animal feedlots, a lot or parcel for keeping of farm animals as an accessory use shall comply with the minimum lot requirements of the applicable zoning district and there shall be a minimum of one acre of land for each cattle, horse, or swine.

XX-24-4: ANIMAL FEEDLOT TIERS:

<u>Tier</u>	<u>Animal Units</u>	<u>CUP Required¹</u>	<u>EAW Required</u>
<u>1</u>	<u>2 to less than 50 animal units</u>	<u>No</u>	<u>No</u>
<u>2</u>	<u>50 to less than 250 animal units</u>	<u>Yes</u>	<u>No</u>
<u>3</u>	<u>250 to less than 500 animal units</u>	<u>Yes</u>	<u>No</u>
<u>4</u>	<u>500 to less than 1,000 animal units</u>	<u>Yes</u>	<u>Yes²</u>
<u>5</u>	<u>1000 animal units or greater</u>	<u>Yes</u>	<u>Yes</u>
<p><u>1. "Yes: indicates that a conditional use permit is required based upon procedures set forth in and regulated by chapter 4 of this ordinance.</u></p> <p><u>2. An environmental assessment worksheet (EAW) is required for new or expanding feedlots for more than 500 animal units only if located in a "Sensitive Area". A Sensitive Area includes; shorelands; delineated flood plains; Recreational or Scenic River districts; within 1,000' of a karst feature (sinkhole, cave, disappearing spring, resurgent spring, karst window, dry valley or blind valley); and vulnerable parts of delineated drinking water supply management areas.</u></p>			

XX-24-25: ANIMAL FEEDLOT PERFORMANCE STANDARDS:

- A. All feedlots shall comply with Minnesota rules 7020.
- B. Manure storage areas for all feedlots shall be designed, constructed and maintained in compliance with Minnesota rules 7020.2100.
- C. New feedlots and manure storage areas, and the expansion of existing feedlots and manure storage areas are prohibited within the shoreland and floodplain districts, in compliance with Minnesota rule 7020.2005.
- D. ~~Animal Feedlot Tiers Defined and Regulated:~~

<u>Tier</u>	<u>Animal Units</u>	<u>CUP Required¹</u>	<u>EAW Required</u>
-------------	---------------------	---------------------------------	---------------------

1	2 to less than 50 animal units	No	No
2	50 to less than 250 animal units	Yes	No
3	250 to less than 500 animal units	Yes	No
4	500 to less than 1,000 animal units	Yes	Yes ²
5	1000 animal units or greater	Yes	Yes
<p>1. "Yes" indicates that a conditional use permit is required based upon procedures set forth in and regulated by chapter 4 of this ordinance.</p> <p>2. An environmental assessment worksheet (EAW) is required for new or expanding feedlots for more than 500 animal units only if located in a "Sensitive Area". A Sensitive Area includes; shorelands; delineated flood plains; Recreational or Scenic River districts; within 1,000' of a karst feature (sinkhole, cave, disappearing spring, resurgent spring, karst window, dry valley or blind valley); and vulnerable parts of delineated drinking water supply management areas.</p>			

ED. The following required and minimum setbacks are applicable to feedlots, manure storage areas, and residences not located on the same property as these operations, provided, however, that residences located on parcels adjacent to the feedlot property that are owned by persons having an ownership interest in the feedlot or feedlot property shall be treated in the same manner as residences located on the feedlot property for purposes of this section:

	Tier				
	1	2	3	4	5
Non-Feedlot Dwelling	200ft.	660ft.	660ft.	1,320ft.	2,640ft.
Residential Platted Lot	0ft.	660ft.	660ft.	1,320ft.	2,640ft.
Private Well	100ft.	100ft.	100ft.	100ft.	100ft.
Property line	10ft.	250ft.	250ft.	250ft.	250ft.
Road centerline	N/A	100ft.	100ft.	100ft.	100ft.
City limits	200ft.	1,320ft.	1,320ft.	2,640ft.	3,960ft.
Public Park	200ft.	1,320ft.	1,320ft.	2,640ft.	3,960ft.
Lake	1,000ft.	1,000ft.	1,000ft.	1,000ft.	1,000ft.
River, Stream, or County Ditch	300ft.	300ft.	300ft.	300ft.	300ft.

FE. For the purposes of this chapter, manure storage areas shall be regulated according to the number of animal units the manure storage area is designed and constructed to accommodate.

GF. A conditional use permit issued for any feedlot and any manure storage area shall authorize the feedlot owner/operator to maintain any number of animal units within the allowable range of the tier designated in the permit. The number of animal units contained in the feedlot shall not exceed the maximum number allowed in the designated tier unless the feedlot owner/operator first obtains a new or amended conditional use permit for the appropriate higher tier.

~~H.G.~~ An MPCA registered feedlot or manure storage area existing prior to November 8, 2014 that does not comply with the setbacks established in this section may continue as a non-conforming use within the same tier or a lesser tier.

H. An MPCA registered feedlot or manure storage area existing prior to November 8, 2014, that does not comply with the setbacks established in this section may expand in area so long as the expansion does not further encroach upon the setbacks and the expansion does not result in the feedlot increasing to a higher tier. (Ord. 900, 18 Apr 22)

Section 3. Section XX-51-2.I of the Zoning Ordinance (R1 District – Permitted Uses) is hereby amended to repeal the following provision with subsequent sections renumbered accordingly:

~~I. Private and/or Commercial Kennel.~~

Section 4. Section XX-51-4 of the Zoning Ordinance (R1 District – Interim Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

E. Commercial kennel; any private kennel for keeping more than 10 dogs over six months of age.

Section 5. Section XX-51-6 of the Zoning Ordinance (R1 District – Accessory Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

A. Private Kennel.

Section 6. Section XX-61-2.J of the Zoning Ordinance (C1 District – Permitted Uses) is hereby amended to repeal the following provision with subsequent sections renumbered accordingly:

~~I. Private and/or Commercial Kennel.~~

Section 7. Section XX-61-4 of the Zoning Ordinance (C1 District – Interim Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

D. Commercial Kennel.

Section 8. Section XX-61-6 of the Zoning Ordinance (C1 District – Accessory Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

B. Private Kennel.

Section 9. Section XX-71-2.K of the Zoning Ordinance (I1 District – Permitted Uses) is hereby amended to repeal the following provision with subsequent sections renumbered accordingly:

~~J. Private and/or Commercial Kennel.~~

Section 10. Section XX-71-4 of the Zoning Ordinance (I1 District – Interim Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

D. Commercial Kennel.

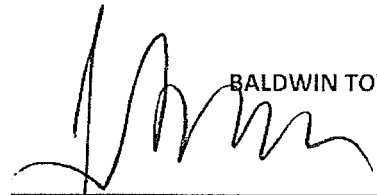
Section 11. Section XX-71-6 of the Zoning Ordinance (I1 District -- Accessory Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

C. Private Kennel.

Section 12. This Ordinance shall become effective after passage and publication.

ADOPTED by the Board of Supervisors of Baldwin Township this 19th day of September, 2023.

MOTION BY: Lawrence
SECONDED BY: Holm
IN FAVOR: Lawrence, Holm, Swanson
OPPOSED: Rush


BALDWIN TOWNSHIP

Jay Swanson, Chair

 ATTEST:
Joan Heinen, Town Clerk/Treasurer

EXHIBIT 54

ORDINANCE NO.: 910

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE ADOPTING THE BALDWIN TOWNSHIP SUBDIVISION ORDINANCE.

THE BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP DOES HEREBY ORDAIN:

Section 1. The Baldwin Township Subdivision Ordinance Incorporated by reference consisting of the following chapters:

Chapter 1:	General Provisions
Chapter 2:	Rules and Definitions
Chapter 3:	Plats
Chapter 4:	Simple Plats
Chapter 5:	Administrative Subdivisions
Chapter 6:	Registered Land Surveys
Chapter 7:	Information Requirements
Chapter 8:	Administration
Chapter 9:	Premature Subdivisions
Chapter 10:	Design Standards
Chapter 11:	Required Improvements

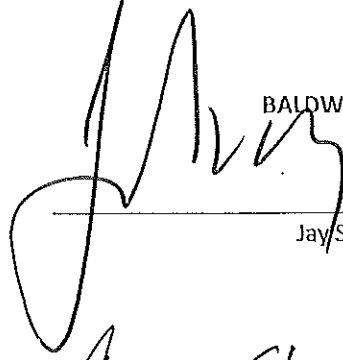
Section 2. This Ordinance shall become effective after passage and publication on May 1, 2022 or a date mutually agreed upon by Baldwin Township and Sherburne County.

Section 3. Applications for approvals under the provisions of this Ordinance submitted to Sherburne County prior to the effective date of this Ordinance shall be processed and decided by Sherburne County in accordance with Sherburne County Ordinances.

ADOPTED by the Board of Supervisors of Baldwin Township this 18th day of April, 2022.

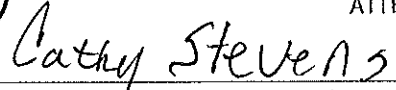
MOTION BY:
SECONDED BY:
IN FAVOR:
OPPOSED:

BALDWIN TOWNSHIP



Jay Swanson, Chair

ATTEST:



Cathy L. Stevens, Town Clerk/Treasurer

EXHIBIT 55

ORDINANCE NO.: 920

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE ADOPTING THE BALDWIN TOWNSHIP BUILDING ORDINANCE.

THE BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP DOES HEREBY ORDAIN:

Section 1. The Baldwin Township Zoning Ordinance incorporated by reference consisting of the following chapters:

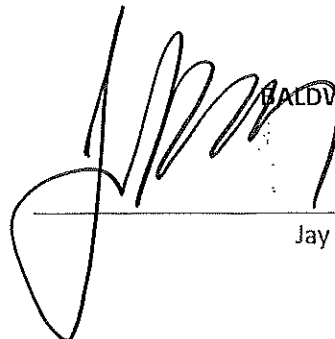
Chapter 1:	General Provisions
Chapter 2:	Building Code
Chapter 3:	Fire Code
Chapter 4:	Subsurface Sewage Treatment Systems

Section 2. This Ordinance shall become effective after passage and publication on May 1, 2022 or a date mutually agreed upon by Baldwin Township and Sherburne County.

Section 3. Applications for approvals under the provisions of this Ordinance submitted to Sherburne County prior to the effective date of this Ordinance shall be processed and decided by Sherburne County in accordance with Sherburne County Ordinances.

ADOPTED by the Board of Supervisors of Baldwin Township this 18th day of April, 2022.

MOTION BY:
SECONDED BY:
IN FAVOR:
OPPOSED:


BALDWIN TOWNSHIP
Jay Swanson, Chair

ATTEST:

Cathy Stevens
Cathy L. Stevens, Town Clerk/Treasurer

EXHIBIT 56

ORDINANCE NO.: 930

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE AMENDING BALDWIN TOWNSHIP FEE SCHEDULE.

THE BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP DOES HEREBY ORDAIN:

Section 1. The following provisions of the Ordinance 600 (Baldwin Township Fee Schedule) are hereby repealed:

Public Hearing Fee	Includes fee to conduct 1 hearing Town administration fee, Attorney fees and Engineering fee. If actual cost is less than \$1,000, that amount will be refunded; if actual cost is more, the cost will be billed to the person requesting the hearing. Fees will be deposited into a non-Interest bearing escrow account. No public hearing will be noticed until the applicant has signed a fee responsibility agreement with the Township.
Fees other than Public Hearing	
Publication Fee	As charged by newspaper
Attorney Fee	As charged by township attorney
Engineering Fee, if applicable	As charged by township engineer

Section 2. The Ordinance 600 (Baldwin Township Fee Schedule) is hereby amended to include the following provisions:

Development Applications	
Comprehensive Plan Amendment	
a. Base Fee	\$500.00
b. Escrow – Single Family	\$1,000.00
c. Escrow – All Others	\$3,000.00
Zoning Amendment (map or text):	
a. Base Fee	\$500.00
b. Escrow – Single Family	\$1,000.00
c. Escrow – All Others	\$3,000.00
Variance:	
a. Base Fee	\$500.00
b. Escrow – Single Family	\$1,000.00
c. Escrow – All Others	\$3,000.00

Conditional Use Permit:		
a.	Base Fee	\$500.00
b.	Escrow – Single Family	\$1,000.00
c.	Escrow – All Others	\$3,000.00
Interim Use Permit:		
a.	Base Fee	\$500.00
b.	Escrow	\$3,000.00
Administrative Permit and Appeals:		
a.	Base Fee	\$200.00
b.	Escrow	\$400.00
Sign Permit:		\$30.00
Grading Permit:		\$1,000 escrow
Zoning Confirmation Letter		\$30.00
Site Plan Review:		
a.	Base Fee	\$200.00
b.	Escrow	\$3,000.00
Shoreland/WS Alteration Permit:		
a.	Base fee	\$200.00
b.	Escrow	\$800.00
Subdivision Sketch Plan:		
a.	Base Fee	\$200.00
b.	Escrow	\$1,000.00
Simple Plat:		
Preliminary Plat:		
a.	Base Fee	\$500.00
b.	Escrow	\$1,000.00
Final Plat:		
a.	Base Fee	\$500.00
b.	Escrow	\$1,000.00
Plat:		
Preliminary Plat:		
a.	Base Fee	\$500.00
b.	Escrow	\$1,000.00
Final Plat:		
a.	Base Fee	\$500.00
b.	Escrow	\$1,000.00
Administrative Subdivision:		
a.	Base Fee	\$200.00
b.	Escrow	\$800.00
Registered Land Survey:		
a.	Base Fee	\$200.00
b.	Escrow	\$800.00
Environmental Assessment Worksheet Review		
a.	Base Fee	\$200.00

b. Escrow	\$1,000.00
Development Contract Minimums	
Legal Escrow	\$1,000.00
Engineering / Construction Observation Escrow	\$5,000.00
Town Administrative Fee	\$1,000.00
Park Dedication	
a. Residential	\$1,200.00/lot
b. Commercial/Industrial/Institutional	\$0.00/ac.
Building Permits	
<p>A. Residential Building, Commercial Building, Fire Sprinkler, Fire Alarm, Commercial Mechanical, Commercial Plumbing, Inspection, and Fees: The issuance of all permits and the collection of fees shall be as authorized in Minnesota Statutes, Chapter 326B, Minnesota Administrative Rules 1300.0160 and as provided the Town Building Ordinance. Fees are to be commensurate with the service provided. The minimum fee for any building, fire sprinkler, fire alarm, plumbing, or mechanical permit is \$100.00 for processing and administration. Permit fees not specifically identified within this Ordinance shall be based on the valuation determined by the building official in accordance with section XX-1-4 of the Building Ordinance.</p>	
Total Valuation	Permit Fee
\$1.00 to \$500.00	\$29.50
\$501.00 to \$2,000.00	\$28.00 for the first \$500.00 plus \$3.70 for each additional \$100.00, or fraction thereof, to and including \$2,000
\$2,001.00 to \$25,000.00	\$83.50 for the first \$2,000.00 plus \$16.55 for each additional \$1,000.00 or fraction thereof, to and including \$25,000
\$25,001.00 to \$50,000.00	\$464.15 for the first \$25,000.00 plus \$12.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000
\$50,001.00 to \$100,000.00	\$764.15 for the first \$50,000.00 plus \$8.45 for each additional \$1,000.00 or fraction thereof, to and including \$100,000
\$100,001.00 to \$500,000.00	\$1,186.65 for the first \$100,000.00 plus \$6.75 for each additional \$1,000.00 or fraction thereof, to and including \$500,000
\$500,001.00 to \$1,000,000.00	\$3,886.65 for the first \$500,000.00 plus \$5.50 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000; and
\$1,000,001.00 and up	\$6,636.65 for the first
<p>B. State Surcharge on Building, Mechanical, and Plumbing, Permit Fees: In addition to the permit fees established in this Ordinance, a surcharge fee shall be collected on all permits issued for work governed by the Minnesota State Building Code in accordance with Minnesota Statutes, Section 326B.148.</p>	
<p>C. Mechanical permit fees for structures that are regulated under the Minnesota Residential Code:</p>	

New construction mechanical (includes HVAC system, mechanical ventilation system, and gas lines)	\$150.00 per unit
Addition, alteration, remodel, or replacement mechanical	\$125.00
Basement finish mechanical	\$125.00
Fireplace	\$125.00
Garage heater	\$125.00
Gas lines	\$125.00
Miscellaneous mechanical appliance	\$125.00
All other minor mechanical work	\$125.00
Furnace and air conditioner units installed and inspected simultaneously	\$185.00
D. Mechanical permit fees for structures that are regulated under the Minnesota Residential Code:	
New construction mechanical (includes HVAC system, mechanical ventilation system, and gas lines)	\$150.00 per unit
Addition, alteration, remodel, or replacement mechanical	\$125.00
Basement finish mechanical	\$125.00
Fireplace	\$125.00
Garage heater	\$125.00
Gas lines	\$125.00
Miscellaneous mechanical appliance	\$125.00
All other minor mechanical work	\$125.00
Furnace and air conditioner units installed and inspected simultaneously	\$185.00
E. Plumbing permit fees for structures that are regulated under the Minnesota Residential Code:	
New construction plumbing	\$150.00 per unit
Addition, alteration, remodel, or replacement	\$125.00
Basement finish	\$125.00
Water heater	\$125.00
Water conditioning system	\$125.00
Miscellaneous plumbing fixtures	\$125.00
Municipal sewer connection	\$125.00
Municipal water connection	\$125.00
F. Other Permits and Fees:	
Accessory structures	Refer to Table A; a 65% plan review may apply
Structure additions, alterations	Refer to Table A; a 65% plan review may apply
Structure remodel	Refer to Table A; a 65% plan review may apply
Basement finishes	Refer to Table A; a 65% plan review may apply
Deck	Refer to Table A; a 65% plan review may apply
Fence over 7 feet high	Refer to Table A; a 65% plan review may apply

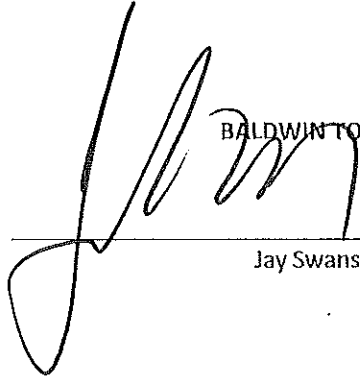
Residential structure moving (within 60 miles of St. Francis with additional fees incurred if outside of that distance)	\$250.00
Residential roofing	\$125.00
Residential siding	\$125.00
Residential window replacement (same size)	\$125.00
Commercial demolition	\$385.00
Residential demolition	\$200.00
Manufactured home set-up (foundation and connections only)	\$175.00
Solar/Photovoltaic Systems Residential (up to 3.5kW)	\$175.00
Solar/Photovoltaic Systems Commercial	Refer to Table A; a 65% plan review may apply
Residential irrigation system, including backflow prevention	\$125.00
Fire inspections	\$125.00
Miscellaneous commercial or residential building permits for which no fee is specifically indicated	Refer to Table A; a 65% plan review may apply
Residential inspections which no fee is specifically indicated	\$125.00 per trip
Additional plan review required by changes, additions, or revisions to previously approved plans	\$95.00 per hour
Reinspection fees	\$95.00 per hour/inspection – whichever is greater (minimum charge of 1 hour)
Inspections outside of normal business hours	\$150.00 per hour (minimum charge of 2 hours)
Zoning permit	\$125.00
Change of Use/Occupancy	\$300.00
G. Septic Permits:	
Type I-II-III Residential On Site Septic System (new or replacement)	\$250.00
Residential Septic or Holding Tank Only	\$175.00
Performance/Engineered System	Refer to Table A; 65% plan review may apply
Operating Permit	\$100.00/year
Maintenance Permit	\$10.00 per permit, needed every 3 years

Section 3. This Ordinance shall become effective May 1, 2022 upon its passage and publication.

ADOPTED by the Board of Supervisors of Baldwin Township this 18th day of April, 2022.

MOTION BY:
 SECONDED BY:
 IN FAVOR:
 OPPOSED:

BALDWIN TOWNSHIP



Jay Swanson, Chair

ATTEST:



Cathy L. Stevens, Town Clerk/Treasurer

EXHIBIT 57

ORDINANCE NO.: 930-1

BALDWIN TOWNSHIP
SHERBURNE COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE BALDWIN TOWNSHIP FEE SCHEDULE.

THE BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP DOES HEREBY ORDAIN:

Section 1. The following provisions of the Baldwin Township Fee Schedule Ordinance 930 are hereby repealed:

Building Permits	
A. Residential Building, Commercial Building, Fire Sprinkler, Fire Alarm, Commercial Mechanical, Commercial Plumbing, Inspection, and Fees: The issuance of all permits and the collection of fees shall be as authorized in Minnesota Statutes, Chapter 326B, Minnesota Administrative Rules 1300.0160 and as provided the Town Building Ordinance. Fees are to be commensurate with the service provided. The minimum fee for any building, fire sprinkler, fire alarm, plumbing, or mechanical permit is \$100.00 for processing and administration. Permit fees not specifically identified within this Ordinance shall be based on the valuation determined by the building official in accordance with section XX-1-4 of the Building Ordinance.	
Total Valuation	Permit Fee
\$1.00 to \$500.00	\$29.50
\$501.00 to \$2,000.00	\$28.00 for the first \$500.00 plus \$3.70 for each additional \$100.00, or fraction thereof, to and including \$2,000
\$2,001.00 to \$25,000.00	\$83.50 for the first \$2,000.00 plus \$16.55 for each additional \$1,000.00 or fraction thereof, to and including \$25,000
\$25,001.00 to \$50,000.00	\$464.15 for the first \$25,000.00 plus \$12.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000
\$50,001.00 to \$100,000.00	\$764.15 for the first \$50,000.00 plus \$8.45 for each additional \$1,000.00 or fraction thereof, to and including \$100,000
\$100,001.00 to \$500,000.00	\$1,186.65 for the first \$100,000.00 plus \$6.75 for each additional \$1,000.00 or fraction thereof, to and including \$500,000
\$500,001.00 to \$1,000,000.00	\$3,886.65 for the first \$500,000.00 plus \$5.50 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000; and

\$1,000,001.00 and up	\$6,636.65 for the first \$1,000,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof
B. State Surcharge on Building, Mechanical, and Plumbing, Permit Fees: In addition to the permit fees established in this Ordinance, a surcharge fee shall be collected on all permits issued for work governed by the Minnesota State Building Code in accordance with Minnesota Statutes, Section 326B.148.	
C. Mechanical permit fees for structures that are regulated under the Minnesota Residential Code:	
New construction mechanical (includes HVAC system, mechanical ventilation system, and gas lines)	\$150.00 per unit
Addition, alteration, remodel, or replacement mechanical	\$125.00
Basement finish mechanical	\$125.00
Fireplace	\$125.00
Garage heater	\$125.00
Gas lines	\$125.00
Miscellaneous mechanical appliance	\$125.00
All other minor mechanical work	\$125.00
Furnace and air conditioner units installed and inspected simultaneously	\$185.00
D. Mechanical permit fees for structures that are regulated under the Minnesota Residential Code:	
New construction mechanical (includes HVAC system, mechanical ventilation system, and gas lines)	\$150.00 per unit
Addition, alteration, remodel, or replacement mechanical	\$125.00
Basement finish mechanical	\$125.00
Fireplace	\$125.00
Garage heater	\$125.00
Gas lines	\$125.00
Miscellaneous mechanical appliance	\$125.00
All other minor mechanical work	\$125.00
Furnace and air conditioner units installed and inspected simultaneously	\$185.00
E. Plumbing permit fees for structures that are regulated under the Minnesota Residential Code:	
New construction plumbing	\$150.00 per unit
Addition, alternation, remodel, or replacement	\$125.00
Basement finish	\$125.00
Water heater	\$125.00
Water conditioning system	\$125.00
Miscellaneous plumbing fixtures	\$125.00
Municipal sewer connection	\$125.00
Municipal water connection	\$125.00
F. Other Permits and Fees:	
Accessory structures	Refer to Table A; a 65% plan review may apply

Structure additions, alterations	Refer to Table A; a 65% plan review may apply
Structure remodel	Refer to Table A; a 65% plan review may apply
Basement finishes	Refer to Table A; a 65% plan review may apply
Deck	Refer to Table A; a 65% plan review may apply
Fence over 7 feet high	Refer to Table A; a 65% plan review may apply
Residential structure moving (within 60 miles of St. Francis with additional fees incurred if outside of that distance)	\$250.00
Residential roofing	\$125.00
Residential siding	\$125.00
Residential window replacement (same size)	\$125.00
Commercial demolition	\$385.00
Residential demolition	\$200.00
Manufactured home set-up (foundation and connections only)	\$175.00
Solar/Photovoltaic Systems Residential (up to 3.5kW)	\$175.00
Solar/Photovoltaic Systems Commercial	Refer to Table A; a 65% plan review may apply
Residential irrigation system, including backflow prevention	\$125.00
Fire inspections	\$125.00
Miscellaneous commercial or residential building permits for which no fee is specifically indicated	Refer to Table A; a 65% plan review may apply
Residential Inspections for which no fee is specifically indicated	\$125.00 per trip
Additional plan review required by changes, additions, or revisions to previously approved plans	\$95.00 per hour
Reinspection fees	\$95.00 per hour/inspection – whichever is greater (minimum charge of 1 hour)
Inspections outside of normal business hours	\$150.00 per hour (minimum charge of 2 hours)
Zoning permit	\$125.00
Change of Use/Occupancy	\$300.00
G. Septic Permits:	
Type I-II-III Residential On Site Septic System (new or replacement)	\$250.00
Residential Septic or Holding Tank Only	\$175.00
Performance/Engineered System	Refer to Table A; 65% plan review may apply
Operating Permit	\$100.00/year
Maintenance Permit	\$10.00 per permit, needed every 3 years

Section 2. The Baldwin Township Fee Schedule Ordinance 930 is hereby amended to include the following provisions:

Building permit and inspection fees shall be as provided for by Appendix A of this Ordinance.

Section 3. The Baldwin Township Fee Schedule Ordinance 930 is hereby amended to include the following Appendix A:

Appendix A
Building Permit and Inspection Fees

The administration and issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes, Chapter 326B, Minnesota Administrative Rules 1300.0120 and 1300.0160, and as provided by this Ordinance. Fees are to be commensurate with the service provided. Permit fees not specifically identified within this Ordinance are based on the valuation determined by Subdivision 2.

Subd. 1. Permit and Inspection Fees for Residential Building, Commercial Building, Fire Suppression, Fire Alarm, Commercial Mechanical, and Commercial Plumbing. The minimum fee for processing these permits is \$100.00.

Total Valuation	Permit Fee
\$1.00 to \$2,000.00	\$100.00 Minimum
\$2,001.00 to \$25,000.00	\$100.00 for the first \$2,000.00 plus \$16.55 for each additional \$1,000.00 or fraction thereof, to and including \$25,000
\$25,001.00 to \$50,000.00	\$464.15 for the first \$25,000.00 plus \$12.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000
\$50,001.00 to \$100,000.00	\$764.15 for the first \$50,000.00 plus \$8.45 for each additional \$1,000.00 or fraction thereof, to and including \$100,000
\$100,001.00 to \$500,000.00	\$1,186.65 for the first \$100,000.00 plus \$6.75 for each additional \$1,000.00 or fraction thereof, to and including \$500,000
\$500,001.00 to \$1,000,000.00	\$3,886.65 for the first \$500,000.00 plus \$5.50 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000; and
\$1,000,001.00 and up	\$6,636.65 for the first \$1,000,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof

Subd. 2. Project Valuation Determination. The Designated Building Official has the authority and responsibility to determine project valuation for the purposes of establishing applicable plan review and permit fees. Valuation data may be referenced from the State of Minnesota and/or the International Code Council.

Subd. 3. Plan Review Fees. Where a plan review fee is performed and charged, the minimum plan review fee for all permits is \$50.00. Plan review fees for building, fire suppression, and fire alarm permits shall be sixty-five percent (65%) of the building permit fees as set forth in Subdivision 1 of this Section. Plan review fees for similar plans are set forth in Minnesota Rules 1300.0160.

Plan review fees for all commercial mechanical permits shall be ten percent (10%) of the permit fee when a project job valuation is determined to exceed \$30,000.00.

In the event a permit applicant submits an application that requires plan review and decides not to proceed with the building project after the plan review has been completed, the plan review fee will be billed by the jurisdiction to the permit applicant.

Subd. 4. State Surcharge on Building, Mechanical, and Plumbing, Permit Fees. In addition to the permit fees established in this fees schedule, a surcharge fee shall be collected on all permits issued for work governed by the Minnesota State Building Code in accordance with Minnesota Statutes, Section 326B.148.

Subd. 5. Refunds. The jurisdiction may refund up to 80% of the permit fees in which no work has been done and no inspections have been made. Requests for refunds must be made by the permit applicant in writing within 180 days of issuance. Within 10 days of receipt, the Building Official must review the refund request and determine the amount to be refunded or deny the refund request for just cause.

No refunds will be approved or granted for the following: plan review fees, state surcharge fees, re-inspection fees, or any other services that have previously been rendered.

Subd. 6. Work Without a Permit. Work commenced without a permit may result in additional fees as specific in MN Rules 1300.010, Subpart 8.

Subd. 7. Residential Mechanical Permit Fees for Structures Regulated under the Minnesota Residential Code.

New construction mechanical (includes HVAC system, mechanical ventilation system, and gas lines)	\$150.00 per unit
Addition, alteration, remodel, or replacement mechanical	\$125.00
Basement finish mechanical	\$125.00
Fireplace	\$125.00
Garage heater	\$125.00
Gas lines	\$125.00
Miscellaneous mechanical appliance	\$125.00
All other minor mechanical work	\$125.00
Furnace and air conditioner units installed and inspected simultaneously	\$185.00

Subd. 8. Plumbing Permit Fees for Structures Regulated under the Minnesota Residential Code.

New construction plumbing	\$150.00 per unit
Addition, alteration, remodel, or replacement	\$125.00
Basement finish	\$125.00
Water heater	\$125.00
Water conditioning system	\$125.00
Miscellaneous plumbing fixtures	\$125.00
Municipal sewer connection	\$125.00
Municipal water connection	\$125.00

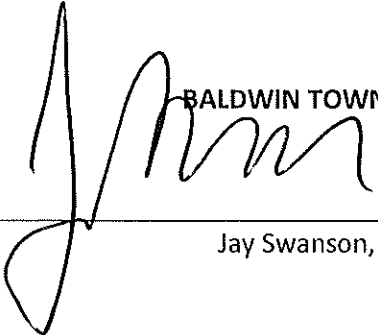
Subd. 9. Other Permits and Fees.

Accessory structures	Refer to Subd. 1 table. A 65% plan review may apply.
Structure additions, alterations	Refer to Subd. 1 table. A 65% plan review may apply
Structure remodel	Refer to Subd. 1 table. A 65% plan review may apply
Basement finishes	Refer to Subd. 1 table. A 65% plan review may apply
Deck	Refer to Subd. 1 table. A 65% plan review may apply
Fence over 7 feet high	Refer to Subd. 1 table. A 65% plan review may apply
Residential structure moving (exceeding 60 miles from the jurisdiction)	\$250.00
Residential roofing	\$125.00
Residential siding	\$125.00
Residential window replacement (same size)	\$125.00
Commercial demolition	Refer to Subd. 1 table. 65% plan review may apply
Residential demolition	\$200.00
Manufactured home set-up (foundation and connections only)	\$175.00
Solar/Photovoltaic Systems Residential (up to 3.5kW)	\$175.00
Solar/Photovoltaic Systems Residential (over 3.5kW)	Refer to Subd. 1 table. 65% plan review may apply
Solar/Photovoltaic Systems Commercial	Refer to Subd. 1 table. 65% plan review may apply
Residential irrigation system, including backflow prevention	\$125.00
Miscellaneous commercial or residential building permits for which no fee is specifically indicated	Refer to Subd. 1 table, 65% plan review may apply
Temporary Heating Equipment	\$150.00
Inspections which no fee is specifically indicated	\$125.00 per hour
Additional plan review required by changes, additions, or revisions to previously approved plans	\$95.00 per hour
Re-inspection fees	\$95.00 per hour/inspection – whichever is greater (minimum charge of 1 hour)
Inspections outside of normal business hours	\$150.00 per hour (minimum charge of 2 hours)
Change of Use/Occupancy	Refer to Subd. 1 table. 65% plan review may apply (minimum fee of \$300.00)
Septic System - Residential New	\$250.00
Septic System – Commercial New	Refer to Subd. 1 table. 65% plan review may apply
Septic System – Residential Alternation/Repair	\$200.00
Septic System – Commercial Alteration/Repair	Refer to Subd. 1 table. 65% plan review may apply
Operating Permit	\$125.00 Annually
Maintenance/Pumping Permit	\$10.00 Triennial

Section 4. This Ordinance shall become effective upon its passage and publication.

ADOPTED by the Board of Supervisors of Baldwin Township this 20th day of March, 2023.

MOTION BY:
SECONDED BY:
IN FAVOR:
OPPOSED:


BALDWIN TOWNSHIP

Jay Swanson, Chair

ATTEST:


Joan Heinen, Town Clerk/Treasurer

EXHIBIT 58

**TOWNSHIP OF BALDWIN
COUNTY OF SHERBURNE
STATE OF MINNESOTA**

ORDINANCE NO. 2005-03

INTERIM SUBDIVISION ORDINANCE

**THE TOWN BOARD OF SUPERVISORS OF BALDWIN TOWNSHIP,
SHERBURNE COUNTY, MINNESOTA ORDAINS AS FOLLOWS:**

Section 1. Purpose. This interim ordinance is hereby established to provide the Township with a period of time to study adopting a subdivision ordinance and other official controls for proposed residential and commercial development in light of the recent growth and development within the Township.

Section 2. Authority. The Township of Baldwin Board of Supervisors is empowered by Minn. Stat. 462.355, Subd. 4 to pass an interim ordinance, applicable to all or a part of its jurisdiction, for the purpose of protecting the planning process and the health, safety, and welfare of its citizens.

Section 3. Adoption of Sherburne County Subdivision Ordinance. The Township of Baldwin Board of Supervisors adopts by Resolution the entire Subdivision Ordinance of Sherburne County as the Interim Subdivision Ordinance for Baldwin Township with appropriate substitution of Baldwin Township as the approving authority.

Section 7. Separability. It is hereby declared that the several provisions of this ordinance are separable in accordance with the following; if any court of competent jurisdiction shall adjudge any provision of this interim ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included in said judgment.

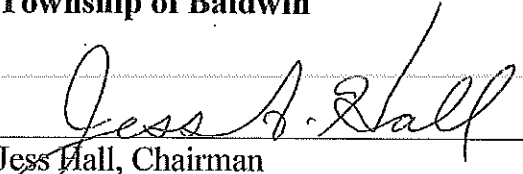
Section 8. Effective Date. This ordinance shall take effect from and after its passage and publication, and shall remain in effect until twelve (12) months from the date of passage and publication, unless a shorter period of time is approved by proper resolution of the Baldwin Township Board of Supervisors.

Motion was made by Supervisor Dotseth and seconded by Supervisor Kriese to adopt the above Interim Subdivision Ordinance by Resolution No. 2005-03 and the following voted as followed:

Dotseth, Hall,
In Favor: Lawrence, Kriesel Abstained: None
Opposed: None Absent: Rittenour

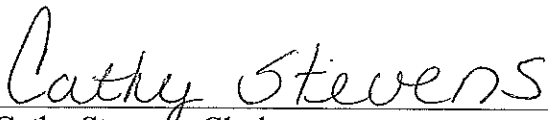
ADOPTED by the Baldwin Township Board of Supervisors this 1st day of
March, 2005.

Township of Baldwin



Jess Hall, Chairman

Attest:



Cathy Stevens, Clerk

Baldwin Township Community Comprehensive Plan



BALDWIN TOWNSHIP COMMUNITY COMPREHENSIVE PLAN

Prepared by the

BALDWIN PLANNING COMMISSION

Judy Thorson, Chair
Terry C. Carlile, Commissioner
Richard D. Harris, Commissioner
Peggy Patten, Commissioner
Ross M. Perry, Commissioner
Eleanor E. Rittenour, Commissioner (Retired)
Scott F. Case, Commissioner (Retired)
Cheryl Goetz Dobson, Secretary / Deputy Clerk

BALDWIN TOWNSHIP BOARD OF SUPERVISORS

Jay Swanson, Chair
Tom Rush, Vice Chair
Kim Good, Supervisor (Retired)
Jeffrey Holm, Supervisor
Randy Atwood, Supervisor
Larry Handshoe, Supervisor
Cathy Stevens, Clerk / Treasurer

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Baldwin Township website:
www.baldwintownship.govoffice.com

WITH THANKS TO THE FOLLOWING WHO FUNDED THE PLAN:

MINNESOTA INITIATIVE FOUNDATION

Other Contributors:

Sharma Wolff, Artist
Bridget Chard, Small Communities Consultant
Sherburne County for their large Land Maps on file at the Town Hall

PREFACE

On March 7, 2011, the Baldwin Township Board of Supervisors created a Planning Commission under *Ordinance 200 – An Ordinance Establishing A Planning Commission*, to deal with the growth and annexation issues in the Baldwin Township community. There were to be a five- seven member planning commission and a township supervisor who would be designated to attend the regular planning commission meetings. Presently there are five commissioners on the Baldwin Township Planning Commission. The Baldwin Town Board instructed the planning commission to prepare a community plan to help determine the direction and future growth of the community.

The Baldwin Township Planning Commission works under Minnesota Statute §462, the planning statute in Minnesota for cities and townships. The completed plan will be presented in informational meetings and a required public hearing process to the community before it becomes adopted, by resolution, by the Town Board.

A comprehensive plan is a compilation of policy statements, goals, standards, and maps for guiding the physical, social and economic development, both private and public, for Baldwin Township and its environs. This plan may include, but is not limited to the following: statements of policies, goals, standards, a land use plan, including proposed densities for development, a community facilities plan, a transportation plan, capital improvement plan, and recommendations for plan execution. A comprehensive plan represents the communities input and the town's expectations for future development in the community.

The Components of a Plan will cover the following:

- HISTORY / COMMUNITY AND NATURAL RESOURCES / PRESERVATION SITES (ARCHEOLOGICAL)
- POPULATION / HOUSING STOCK / INCOME / PROJECTIONS
- ENVIRONMENT / INFRASTRUCTURE / AGGREGATE RESOURCES
- AGRICULTURE / SOILS DATA
- ECONOMY / LAND USES / PLATS AND HISTORY
- TRANSPORTATION SYSTEM – PRESENT / FUTURE
- COMMUNITY SERVICES / FACILITIES
- PARKS / RECREATION / OPEN SPACES
- LAND USES / SENSITIVE SHORELAND & FLOODPLAIN AREAS / WETLANDS
- INTER-GOVERNMENTAL RELATIONSHIPS / OAA
- CAPITAL IMPROVEMENT PLANS – TOWNSHIPS & NEIGHBORING JURISDICTIONS / TIMELINES

These components give a review and a general blueprint for a community. Although portions of the above explain the story of a community's history and the township's present standing, other parts of the plan are more dynamic and are meant to change as the community changes.

A community comprehensive plan is a guide to reflect the hopes and direction for the whole community and to help community understand the future direction. This community comprehensive plan will be the template for future discussions and decisions. It is hoped that those reading this plan will take away with them an interest and a desire to help these goals and objectives to become a reality in Baldwin Township.

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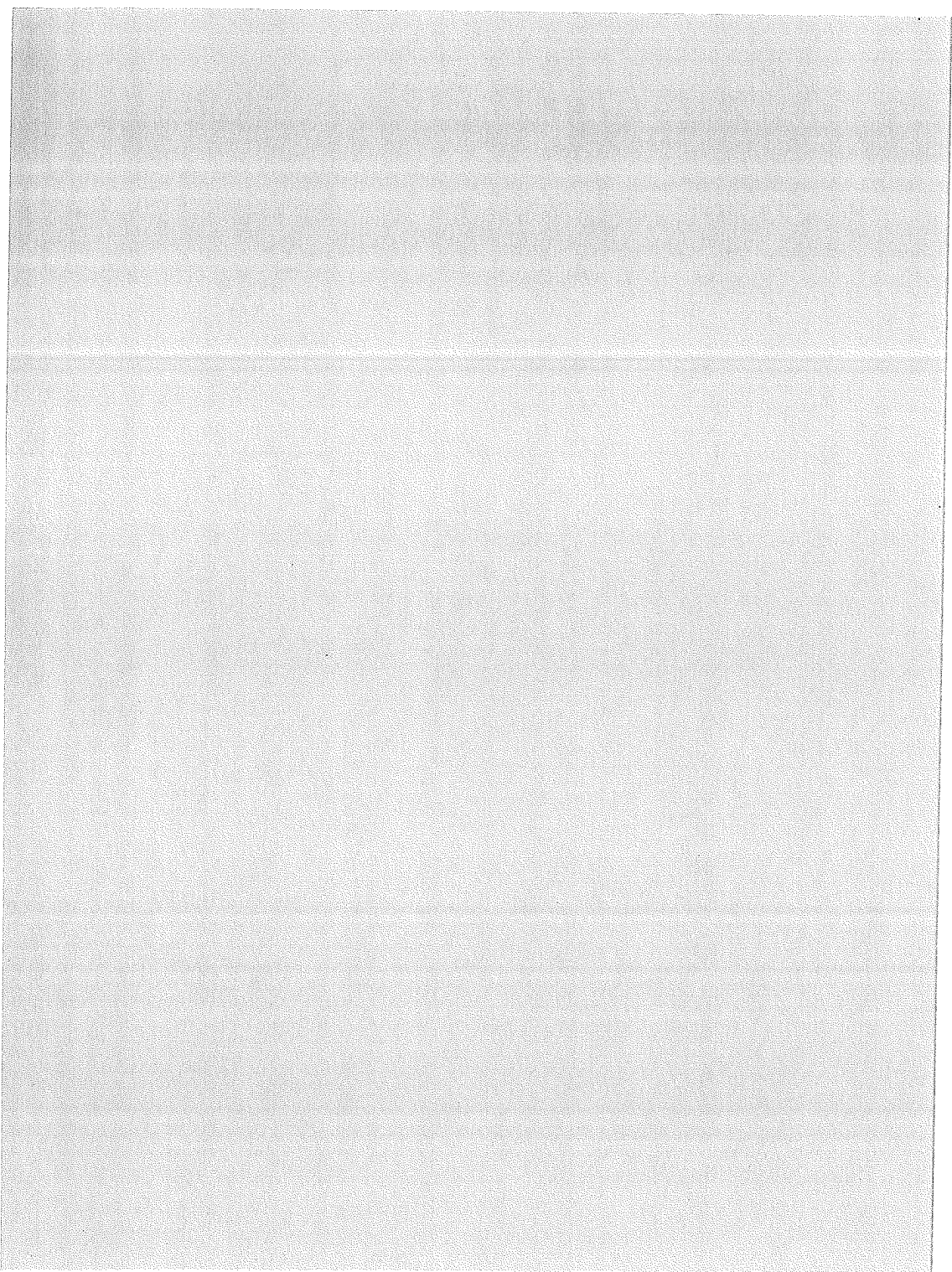
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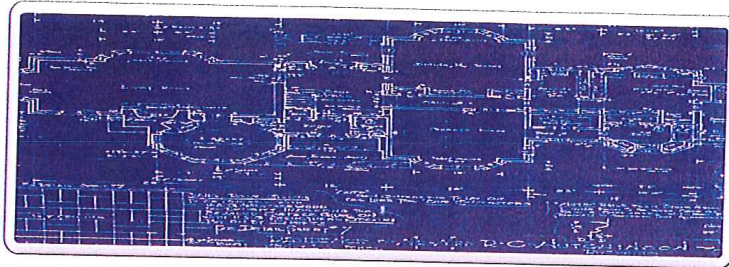
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**PUBLIC NOTICE OF HEARING
 RESOLUTION TO ADOPT COMPREHENSIVE PLAN**



CAPITAL IMPROVEMENT PLANS



CAPITAL IMPROVEMENT PLANS

IN ORDER for Baldwin Township to work towards the future, planning begins with some ideas and the development of an annual budget. This is usually presented to the community in March of each year at the annual town meeting of the residents. A Capital Improvement Plan is defined as follows: "Capital Improvement Plan" means an itemized program setting forth the schedule and details of specific contemplated public improvements by fiscal year, together with their estimated cost, the justification for each improvement, the impact that such improvements will have on the current operating expense of the municipality, and such other information on capital improvements as may be pertinent (MN Statute 462.352 definitions). Some uses for capital improvement plans are to do new town halls, fire department equipment and buildings, road improvements, park improvements and wastewater/water improvements. Essentially, it is setting aside the necessary money to do what is needed without having to borrow all of the funds to complete a project(s).ⁱ

Townships always have a challenge explaining their levies and why they need them when they are at annual town meetings. It is because the levy in March is not certified until September 15th at the end of the year and the money does not come in until the next year, but in only two payments. June's payments come in the latter part of June (70%) and the rest of the payment is received in July and the second payment is received around December. So at the meeting in March when asking the community for a set levy, the residents don't realize that the fund accounts are sitting with money just received in December, but they must last until July. This is a difficult concept for residents to comprehend and consequently a community will not authorize enough. Therefore, the town's responsibility is to budget carefully, to show the need and to explain how to reach that goal. A capital improvement plan is a method to do this, especially for a large project or large ongoing projects that need capital. Planning ahead and developing a well thought out plan helps the citizens to understand these budgetary changes.

Baldwin Township has developed plans over the years to deal with such large expenses. In 2006, the town board showed the community expenses for town hall financing, fire hall maintenance, equipment and blacktop planned projects. Today, Baldwin Township has



CAPITAL IMPROVEMENT PLANS

a capital improvement plan to reconstruct and pave their town roads. A copy of this is located on the wall at the Town Hall along with the proposed costs for the future year. The Town employs an engineering firm to develop their road plans and specifications so proper bidding can take place. They also project work each year for doing crack sealing and repairs to the roads.

In 2010, Baldwin Township worked with their engineer to update and implement what is called the Capital Improvement Plan 2010-2015. The townships' goal was to determine a way to maintain their infrastructure and determine the costs associated with this. The board developed a policy regarding standards for evaluating its transportation system and adopted a budget maintenance model to do this. They rated their roads on criteria developed and then determined a road plan to follow. Basic road data and budget models are also included in this plan. Each year, the township will identify and request road and bridge levies from the residents at their annual meeting of the town to complete their road projects. A copy of the plan is on file at the offices.

Capital Improvement Plans are long term pictures that help a community to decide on where they wish to spend their funds and plan for their future.



CAPITAL IMPROVEMENT PLANS

CAPITAL IMPROVEMENT PLANS

Goals / Objectives (Action Plans)

Goal 1: Repair and build infrastructure, through a road capital improvement program, within the township so that it will continue to provide a safe and healthy environment for the residents in the township.

1. Improve road arteries to accommodate increased heavy road and truck traffic by cleaning ditch areas and paving entrances to the existing business and industrial district.
2. Project ahead for the population needs for the road transportation system for 5, 10, 20 years and what advances should the transportation system look like. Develop models.
3. Build support by using the township website and newsletter to educate the residents regarding capital improvement plans and how they work to help improve the townships' tax base and keep taxes low overall. Identify and enlist a writer to provide articles on a bi-annual basis.

Goal 2: Provide for the support and enhancement of the existing business and possibly consider beginning a secondary business district area to provide all areas to the township convenience to services and marketable items without traveling in many directions.

1. Consider wireless opportunities for the existing business area and social media usages by surveying the businesses.
2. Begin to identify the area around County Road 9 and speak with area residents to see if this is a feasible option for the southern portion of the township for a business town square.
3. Advertise the existing businesses (as a business park) to increase the road traffic into the area by placing a business sign announcing that you are entering the Baldwin business area.
4. Invest in an area improvement plan for beautification of the area along the Highway 169 corridors.
5. Consider signage for all businesses in one sign so that those traveling through the area will know what is available. May wish to consider a subtle flashing sign for the viewing public.

Goal 3: Increase the use of green alternatives for public structures as well as residential structures in the township.

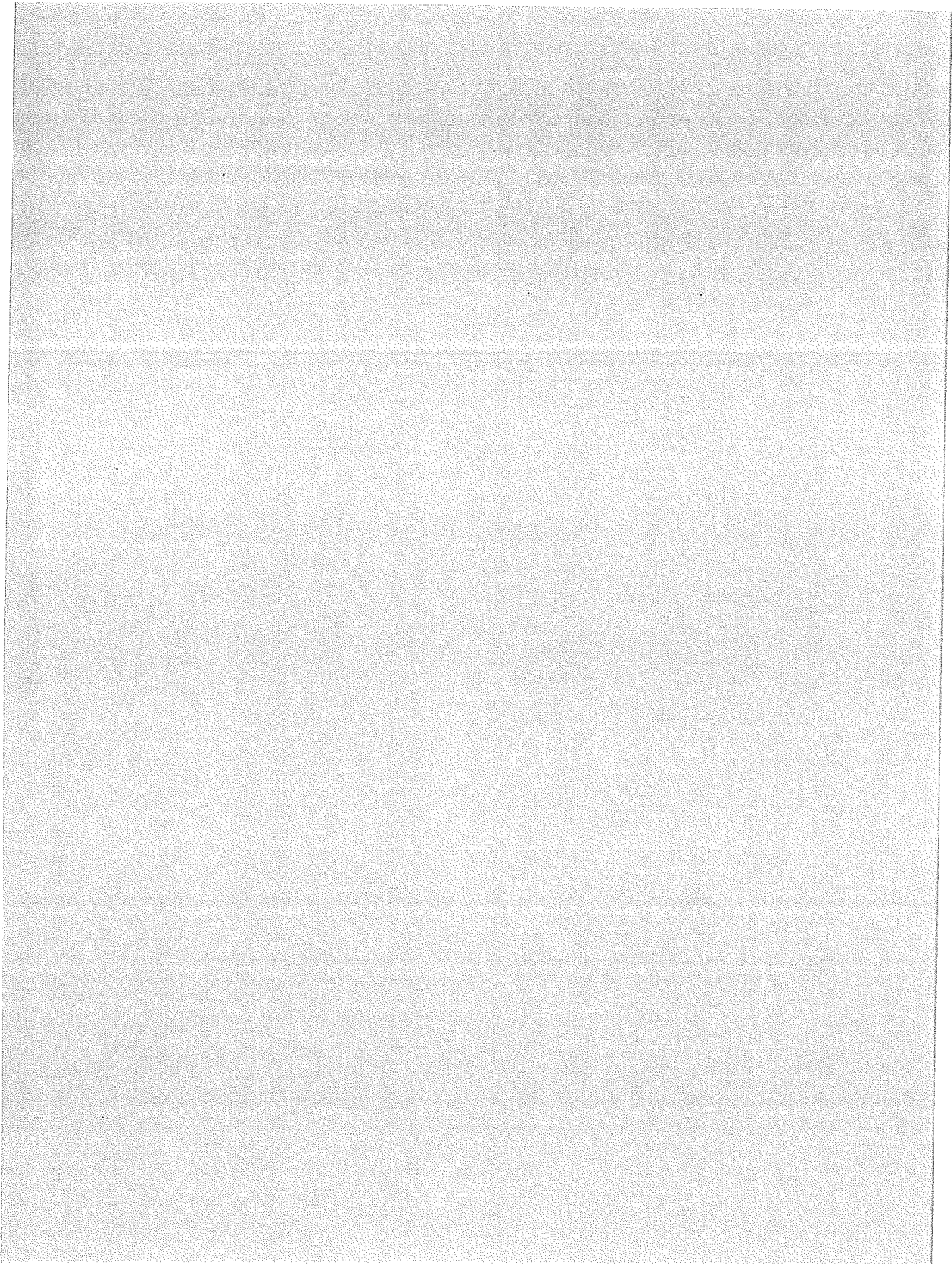
1. Coordinate a Capital Improvement Green Plan for use to assist industrial, commercial and private entities as well as residential parties to understand and build with green energy components.
2. Plan a road trip to the neighboring township to do a workshop and explore their structures to understand what can and was done and how the structures were financed and paid.
3. Review a work plan to begin small by doing things that everyone can consider not only for their businesses, but for their homes such as solar energy, window repairs and other minor changes to

CAPITAL IMPROVEMENT PLANS

save on energy costs. Work with suppliers to hold small trade opportunities at the town hall for landowners and business parties to come in and learn together.

Source materials provided courtesy of Mr. Scott Case, Commissioner (Retired)

¹ Baldwin Township Capital Improvement Plan 2010-2015. Bogart, Pederson and Associates, Inc. January, 2009



COMMUNITY HISTORY



Currently, there are no known federal preservation sites within Baldwin Township. Sherburne County does not separately preserve archeological sites. However, there are a number of potential sites (eight) within Baldwin Township under consideration as State archeological sites for preservation. State nominations for these sites for preservation are sent to the National Park Service for consideration.

The following sites being considered are listed below with what is known about their historical background.

1. Gable log barn off County Road 37
2. The Herman Schleve Brick farmhouse off County Road 37
3. Odegaard farmhouse residence located off County Hwy 45.
4. District School No. 7, located on the SE corner of County Road 1 and County Road 42. District No. 7 was established on Section 7 on the western edge of the township on what was called "Bender's Corner." The schoolhouse was solidly built of large bricks and now stands empty and boarded up.
5. Martin Rossing farmhouse residence located East of County Hwy 19
6. District School No. 31, located east of County Highway 19. District No. 31 was organized in 1877 with the first sessions held in a granary. A schoolhouse was built in the spring of 1879 on Section 26. In 1902 this building became overcrowded with students and was moved to the center of the township to be used as a town hall. A larger wooden frame schoolhouse was then built on the original site. It still stands today, including the hand pump. Although a church had never existed in Baldwin Township, Sunday school was often held in the District No. 31 school house. It was also referred to as the Judkins School. A Reverend Moritz was said to have officiated at many services and also to have taught vacation bible school here.
7. Farmstead with an unidentified location [12535 numbers only]
8. Single Family Dwelling also with an unidentified location¹

COMMUNITY HISTORY

PRESERVATION

Goals / Objectives (Action Plans)

Goal 1: Determine the potential historical sites within Baldwin Township and determine if there should be a full and complete historical designation for each site. Preservation of these sites provides history and understanding of how the township began and the historical background of the people in the area.

1. Identify and contact the owners of potential historical sites to allow consideration of designating their property for historical preservation.
2. Implement working agreements to be worked out for each site between the township and the property owner.
3. Assign a planning commission subcommittee to review potential sites and gather the necessary evidence and information.
4. Working with local historians and owners, prepare the necessary filings to submit to the National Park Service and others for state status for the sites.
5. Develop a capital improvement plan to clean up and restore the historical preservation sites.
6. Coordinate township planning with the county and neighboring historical groups to leverage financial assistance to aid the goals of the preservation group.
7. Use local and township circulars to support host events to support the preservation of the sites.

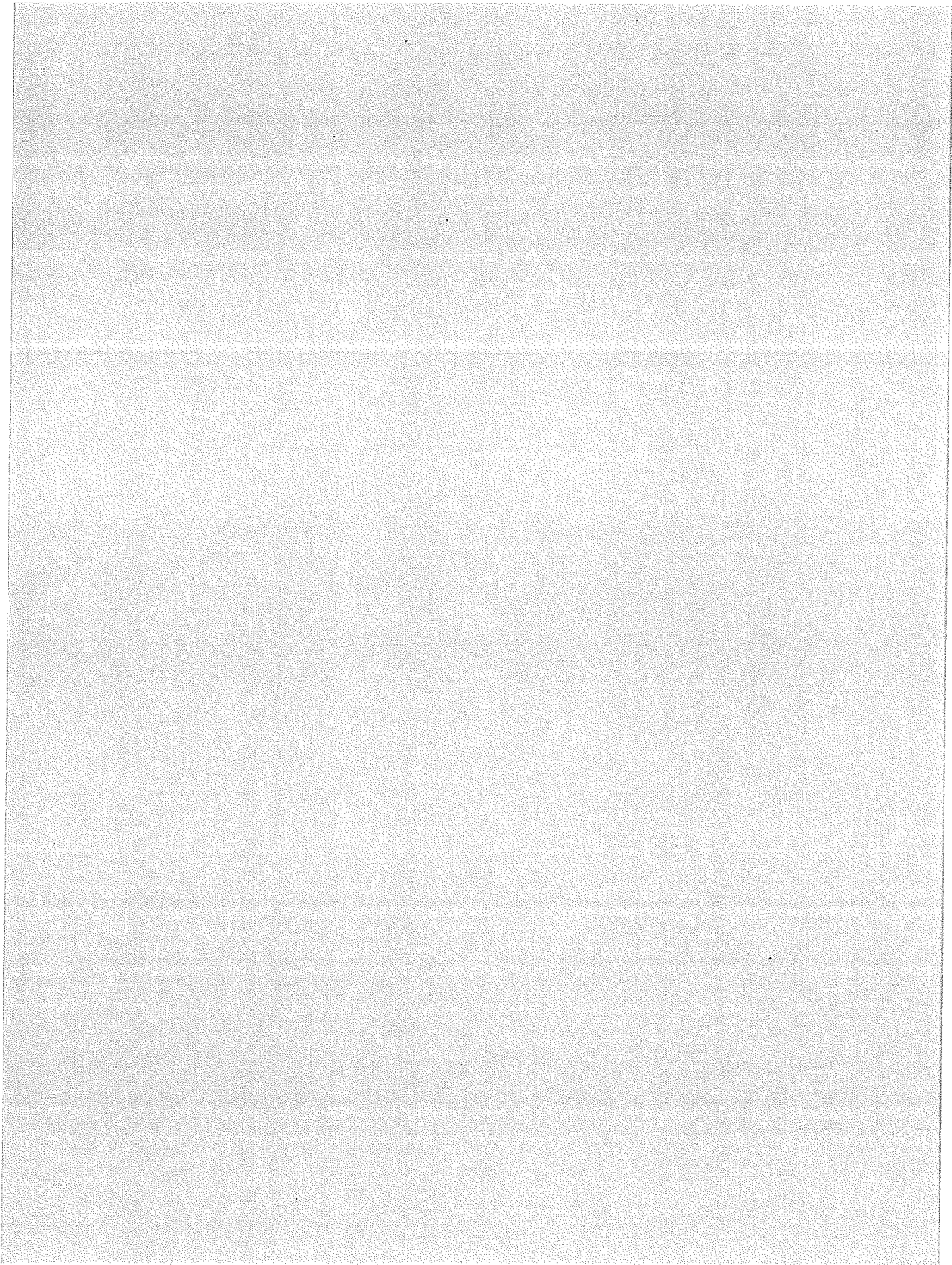
Goal 2: Organize with the elder residents of Baldwin Township, to identify historical background and the original genealogical history of the first residents in the township. Knowledge of the townships beginnings help residents to develop a pride and cultural understanding of their township.

1. Prepare a listing of the historical documents within the township inclusive of all oral and written materials known for the area and site.
2. Catalog each site's background for future references such as the soils, architecture and transportation in the area.
3. Implement or work with a historical society that can accomplish the goals of preservation and meet the challenges that older structures and site will need to stay intact.
4. Seek assistance from the local Sherburne County Historical Society regarding a long term planning and self-support of any historical site within Baldwin Township.

COMMUNITY HISTORY

Source information courtesy of Mr. Rich Harris, Commissioner per emails dated 04.03.2013.

¹ 04.03.2013. Per email from Mr. Rich Harris, Commissioner. From State Historical Society.



COMMUNITY SERVICES



COMMUNITY SERVICES

BALDWIN TOWNSHIP is very fortunate in that they have a range of community services in and out of the township proper. As people of all ages move into a new area, they will usually have a list of needs with priorities about what they want for services. With younger couples or professionals, they usually look at schools and a range of activities while an older person will want to know if there are health services and other conveniences such as transportation available to get around. In addition, many have personal preferences for their denominational churches, familial organizations that they may be in, the quality of life around them and the ability to get to work by different transportation options. There will always be the issue of property taxes, septic and well versus city infrastructure and other conveniences.

The township and surrounding area are rich in many of these items including health, civic and governmental organizations. There are also many opportunities to get involved in the township. At this time, Baldwin Township has the Baldwin Volunteer Committee (BVC) created in August of 2011(after combining a number of committees from the Healthy Communities Partnership Task Force) which is moving forward with work on business development opportunities, parks and recreational activities such as the Young Park Funfest. There is a Park Board and membership in the 4R (Rum River Recreational and Resources Board) Board which works with the neighboring Townships and the City of Princeton to develop a coordinated recreational and open space planning and trail system. The township recently acquired a new park from the County called Goose Lake Park in 2012 and these volunteers will begin to work on development of this park for the future.¹ In addition to the park and recreational opportunities, there is a Cemetery committee to manage the long standing Baldwin Cemetery.



Baldwin Township is in the process of identification of their small home and commercial business directory. There will be a map on file at the township offices of the business ownerships in the township, both small and large.

COMMUNITY SERVICES

The cities of Princeton and Zimmerman have Chamber of Commerce sites on their websites. The township also has a website for residents to see what is happening in the township. The website is at: www.baldwintownship.govoffice.comⁱⁱ

If you are looking for health and wellness, the area has the Fairview Northland Medical Center with twenty-four (24) hour care, including emergency and surgical services, pediatric care, intensive care, coronary care and obstetric care. Located in Princeton is the Fairview Northland Health Services which offers comprehensive rehabilitation services, a retail pharmacy, home health care and hospice services, counseling, and outpatient services. There are many senior housing complexes, and senior care options that are available through providers in and near Baldwin Township. There is a dialysis center located in Princeton as are many professional care facilities including dental, chiropractic, optometrist, hearing, and other holistic services.ⁱⁱⁱ



Should you be looking for civic and performing arts, there are some in Baldwin Township as well in the neighboring city of Princeton. Examples of these are the Princeton Performing Arts Center, the Thunder Blades Roller Rink in Baldwin, and the Princeton Golf Club. There are numerous public and private schools, hockey and sporting events as well as swimming pools and tennis courts located for healthy activities. Through May-September, there is a Farmer's Market featuring locally grown food and locally produced products.

There are numerous eating establishments along with local summer activities available to families and residents in the township and area such as walking paths, bicycling paths, roller rink, hockey rink, tennis and basketball opportunities. On file at the Baldwin Town Hall are local biking and hiking trails and the Minnesota Bike Map provided by the Minnesota Department of Transportation dated 2013. There are also numerous abundant lakes and parks within Baldwin Township such as the Rum River Scenic and Wild River, the Sherburne Natural Wildlife Refuge, Young Park and the new Goose Park which may be an environmental learning area. Some of the local lakes in Baldwin Township have public accesses for use.

Civic activities available to the area and residents are the Lions, Jaycees, Kiwanis, Kinship Mentoring, Volunteer Bridge (Linking Volunteers to Community Needs in the Sherburne County Area) and the Princeton Area Library. A compilation of brochures and items are available at the Baldwin Town Hall.

There is an Industrial Park in Princeton along Hwy 169 as well as the township's commercial and industrial area.

The Princeton Municipal Airport, located on Airport Road, is a general aviation airport, covers 304 acres, and has one runway which is 75 feet by 3900 feet long. The airport averages 36 airplanes per day. In 1978, an airport zoning board was created, consisting of representatives of the City of Princeton, Mille Lacs and Sherburne counties. An ordinance regulating zoning use was also adopted and approved by



COMMUNITY SERVICES

MNDOT (MN Department of Transportation), in compliance with MN Statute § 360 of the Airport Zoning Act. The joint Zoning Board's jurisdiction includes land use within the Airport Hazard Area as defined in the ordinance, and within two (2) miles of the airport boundary, and height restrictions within 1.5 miles of the airport boundary. The ordinance regulates land use and airspace in proximity of two planned runways. Runway 15-33 was planned for a length of 2,600 feet, and runway 04-22 was planned for a length of 2,133 feet. As of 2010, runway 15-33 is constructed at 3,900 feet in length. Runway 04-22 was never constructed. The joint Airport Planning Board is semi-active, with membership consisting of representatives from Baldwin Township sitting on it. The Board reviews all land use applications with Airport Zones A, B, and C. The Board has submitted an Airport Layout Plan (ALP), to the FAA for approval (pending as of 2010), which includes a planned second runway. The ALP does not include an updated zoning ordinance. It is the intention for land use zoning to be left to applicable land use authorities (i.e. city, county and township). It will be the intent of Baldwin Township to obtain a copy of the prior ordinance so an updated one can be developed in the future.^{iv}

The Baldwin Township Hall and Maintenance complex is located at 30239 - 128th Street in the township. In addition, the Northeast Sherburne Fire Department and the Public Works garage are also located on the same complex.

In review, it seems that Baldwin Township has the best to offer in the township and can meet its mission of providing for the health, safety and welfare of its community. It is but a small distance to travel to work in the metropolitan area and to be home in time to enjoy the area and its activities. Baldwin Township provides the best of both worlds for work and play.

Baldwin Township Community Survey 2013-2014

In the fall of 2013, the planning commission asked the town board if they could do a community-wide survey to ask some general questions. The town board authorized the survey and it was sent out at the end of November, 2013. Subsequently, a smaller amended survey was also sent out to possible landowners that may have not received the initial survey.

The Baldwin Township Planner presented the final survey results to the town board of Supervisors, the Baldwin Township Planning Commission and the residents at a March 13th, 2014 special meeting. In addition to the recent survey with its amendment portion, the Planner also reviewed and collated four other surveys that were done in the past. They were as follows:

Community Visioning Session done in 2005 / 2006
Business Community Survey (Business Luncheon) done in 2011
Business Community Survey (Business Luncheon) done in 2012
Community Visioning Session done in 2010

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The survey was sent out to 2,382 parties with 698 surveys returned for a 29% response. The survey was completed by mostly full time residents with agricultural, seasonal, commercial and renters following. Ownership showed the majority of residents have lived here longer than ten years meaning that the township shows a very stable community. This was further borne out in the other surveys above and in the census data to date.

Overall, landowners in the township were satisfied with the quality of life in the township. Those that were not were in the minority and their reasons were poor roads, taxes, poor development processes in the past, and town board procedures (finding them difficult to understand or do).

Main concerns within the township are the same as every township such as roads, taxes, land use conflicts, business climate, not wanting change versus those that do and those wanting better communications between the town board and the community.

When asked about orderly annexation and/or incorporation and if they wished to know more, the community was split almost equally on this subject. More information in the future may help this to shift one way or the other. This is a very difficult subject to understand with passions on both sides felt and expressed.

Roads were discussed and how to proceed with them. Here the community showed that they were incredibly astute on the subject. They stated the following:

- ~Leave them as they are or improve and repair more roads
- ~If more roads are to be improved or repaired, then the township should implement a capital improvement plan or assess the landowners involved.

When asked about land use and permitting in the township, the community was again split almost evenly with slightly more in the negative than positive. Since this question was asked with a yes or no response, understanding their concerns either way was not completed.

The community was very interested in keeping their parks and trails available to be used. They stated that they would like to see the township consider a park capital improvement plan to develop more parks and trails. The only consideration here is that the maintenance and operation of the parks and trails would ultimately increase taxes in the township. So the consequences of creating and constructing parks would need additional consideration in the future.

Finally, the qualities important to the community of Baldwin were almost the same in all of the surveys when asked. They were in order of the highest to the lowest: a.) Natural resources, b.) Low crime, c.) Friendly people, d.) Community activities, e.) Business opportunities, and f.) Near to public services.

Overall, the survey did reinforce that most of the Baldwin Township community is content with their life and where they live. That while there are always some nagging issues, that they can be handled. If you wish to see the full survey, a copy of the final survey with attachments will be

COMMUNITY SERVICES

on the website at www.baldwintownship.govoffice.com. The survey in its entirety is also attached as an Appendix B in the Baldwin Township Community Comprehensive Plan once it is completed.

Business Community General Comments in Surveys

The most recent survey did not have a focus on the business community, but there were general comments. Past surveys that are identified above were reviewed and this gave some common thoughts to the business community itself. Below are the comments presented:

The following comments were made regarding business:

- Community would like to see growth
- Possibly want a main street to identify with Baldwin Township
- Internet speed increased
- Promotion of job opportunities
- Expand and attract businesses to the area
- More infrastructure for business / streets, water and sewer where necessary
- Manage commercial, but don't have a lot of regulations
- Need more light commercial
- Decrease impact of lighting / more consistent and uniform
- Retail stores
- Have businesses that the residents can use all of the time

There were some other themes that presented themselves throughout all of the surveys and they are listed below:

- Develop a business community redevelopment plan which could also lead to business retention and expansion
- Consider an "incubator" (for beginning businesses that might wish to grow larger) business option to attract and allow local home based businesses to grow
- Review and implement plans for improvements for all types of infrastructure inclusive of more wireless opportunities
- Identify a road improvement plan for just the business area / inclusive of tree planting and walking trails for residents to use the retail stores that are available. Possibly create a main street theme for the business area.

The Baldwin Township downtown business area is a valued area for and by the township community. It has provided part of the township's revenue and tax base and reduces taxes to residential property by being here. Many of those with businesses do live here and wish to remain. Further consideration to enhance their business climate is a goal the township desires in order to keep and expand their business base for the future.

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Goals / Objectives (Action Plans)

Goal No. 1: Initiate, through the business, health and community sectors, a conversation on how to work together to help make Baldwin Township and the neighboring communities more efficient in their delivery of services to the residents of the area.

1. Cultivate quarterly work meetings rotating around the area consisting of local leaders, both in the public and private sector with the goal of economic improvement to the area. Some examples of topics could be the following: business and home protection, community public service events and cultural and economic activities which promote the local area as a whole.
2. Consider green models at businesses to help citizens understand how to be more efficient and how to be efficient with their budgets.
3. Consider a standing committee comprised of all interested jurisdictions to review the public transportation network and its changing nature including road, rail, light rail, airport services, bus and their facilities. Look for efficiencies in networking together for the area.
4. Working with Sherburne County and others, develop and implement an economic development policy for Baldwin Township. This will give direction to the business community and help growth to happen in a managed way.

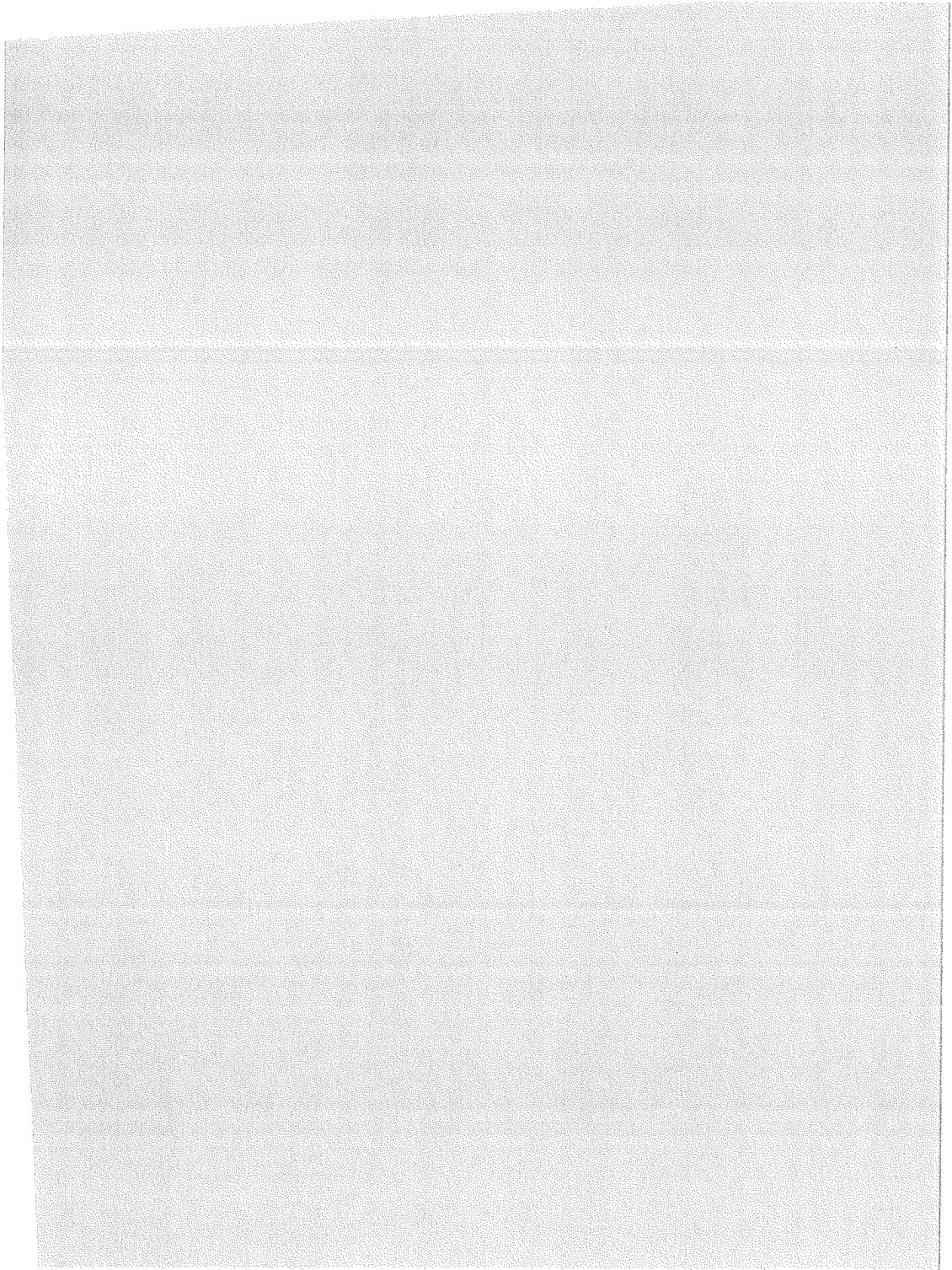
Goal No. 2: Build harmonious relationships with Sherburne County, the neighboring townships and the city of Princeton that will benefit the business and commercial communities.

1. Assist in different transport methods for those that are disabled or in need of transportation.
2. Consider a coffee chat dialogue with neighboring jurisdictions wherein all gather together and discuss the challenges begin faced. Some call it on the 5th Friday of those months where it happens. Rotate the meetings and topics.
3. Working together as a joint group, leverage your knowledge and talent toward financing projects when it is necessary and beneficial for the communities in the area.
4. Encourage the use of mentoring programs for small businesses and/or those that might be interested in an “incubator” business model to see if their idea works. Implement workshops for business people to come and learn and to listen to their concerns.

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Information and Resources courtesy of Ms. Elly Rittenour (retired) and Ms. Judy Thorson,
Planning Commissioners

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- ⁱ Numerous local brochures and informational materials on file at the Baldwin Town Hall offices
 - ⁱⁱ Chapter 7. Parks & Recreation. Sherburne County. County Comprehensive Land Use Plan
 - ⁱⁱⁱ <http://rumriverhs.org> Rum River Health Services. 11/16/2012
 - ^{iv} <http://www.princetonmnchamber.org/index.php/community-information>. Princeton Chamber of Commerce website. 2012



COMMUNITY HISTORY

NATURAL HISTORY

BALDWIN TOWNSHIP is situated in the northeast corner of Sherburne County. Two kinds of glacial drift of slightly different age and markedly different composition were deposited in the county during the last major glacial stage of the Pleistocene epoch. The older drift was deposited by ice of the Superior Lobe, which flowed in the area from the north with some blending of the Rainy Lobe. The till in this drift is reddish brown, is generally loamy and noncalcareous, and has a high bulk density. It is commonly referred to as "red till" on drumlins. Pebbles of basalt, gabbro, felsites, and red sandstone (different soils) are common. The Superior Lobe retreated from the area about 13,500 years ago. Milaca, Mora, and Ronneby soils, which are near Santiago, formed in till deposited by the Superior Lobe.

The parent soils in the township area were probably created by the Grantsburg Sublobe, a protrusion of the Des Moines Lobe. This ice flowed generally northward to the northern boundary of Sherburne County, and brought a light olive brown, loamy, calcareous drift that contained pebbles of limestone and shale. The till deposited by the Des Moines Lobe is commonly referred to as "gray till" or "bluff till". In some places the Grantsburg Sublobe picked up deposits previously laid down by the Superior Lobe; consequently, complex mixtures of reddish brown and light olive brown drift were deposited in some areas. Such mixtures are part of the Elk River Moraine Complex visible on the islands of till that project through the sand plain north of Becker and northeast of Elk River. Others project through the sand on the south side of St. Cloud and in other small areas in the northwestern part of the county. A thin smear of sand generally mantles the surface on the lower slopes of these till islands.ⁱ

During the retreat of the Grantsburg Sublobe about 12,500 years ago, the ice stagnated in the northern and eastern parts of the county. Meltwater left intermixed outwash gravel and sand from both the Grantsburg and Superior Lobes in a large crevasse in the ice along the eastern edge of the county. When the ice melted, this outwash deposit remained and is evident above the surrounding countryside. Pierz, Sanburn, and Stonelake soils formed in this gravelly and sandy material of the Elk River Moraine Complex.ⁱⁱ

The Anoka Sand Plain area of the Late Wisconsin outwash in east-central Minnesota was deposited as the Grantsburg Sublobe receded (Cooper, 1935). Later, the ice became stabilized along the northeastern edge of the Mississippi Valley, and meltwater produced an outwash apron

COMMUNITY HISTORY

sloping toward the northeast. The material deposited by the meltwater consisted of well stratified fine sand on the Anoka Sand Plain, part of which had not been deeply reworked by wind. The sand plain was once thought to be entirely of eolian (noting or pertaining to sand or rock material carried or arranged by the wind) origin (Leverett and Sardeson, 1932). However, sand-dune areas cover only 7 percent of the Anoka Sand Plain (cooper, 1935). Zimmerman, Cantlin, Lino, and Isanti soils formed in these fine sand deposits.

As the glacier retreated from the area, large blocks of ice were left in the till and outwashes. The melting of these blocks produced depressions in nearly all of the glacial deposits. Many of these depressions are now lakes or bogs. Organic soils developed in shallow depressions where water stood for part of the year and along drainageways that were frequently flooded.

The sand dunes ridges and parabolic dunes are organized in larger parabolic dune blankets, which migrated only limited distances to the southeast. The predominant dune-building winds were from the northwest, but south and west winds modified the dune forms (Keen and Shane, 1990). In some areas large sand dunes developed on the deposits of fine sand, probably soon after the ice melted and before vegetation became well established. The major soils in this area are the Zimmerman soils that have a thick solum (Solum, plural, sola) in soil science consists of the surface and subsoil layers that have undergone the same soil forming conditions. Recent alluvium, the texture of which ranges from loam to sand, has been deposited on the flood plains along the major streams in the county. Soils on the flood plains include Elk River, Fordum, and Winterfield soils.



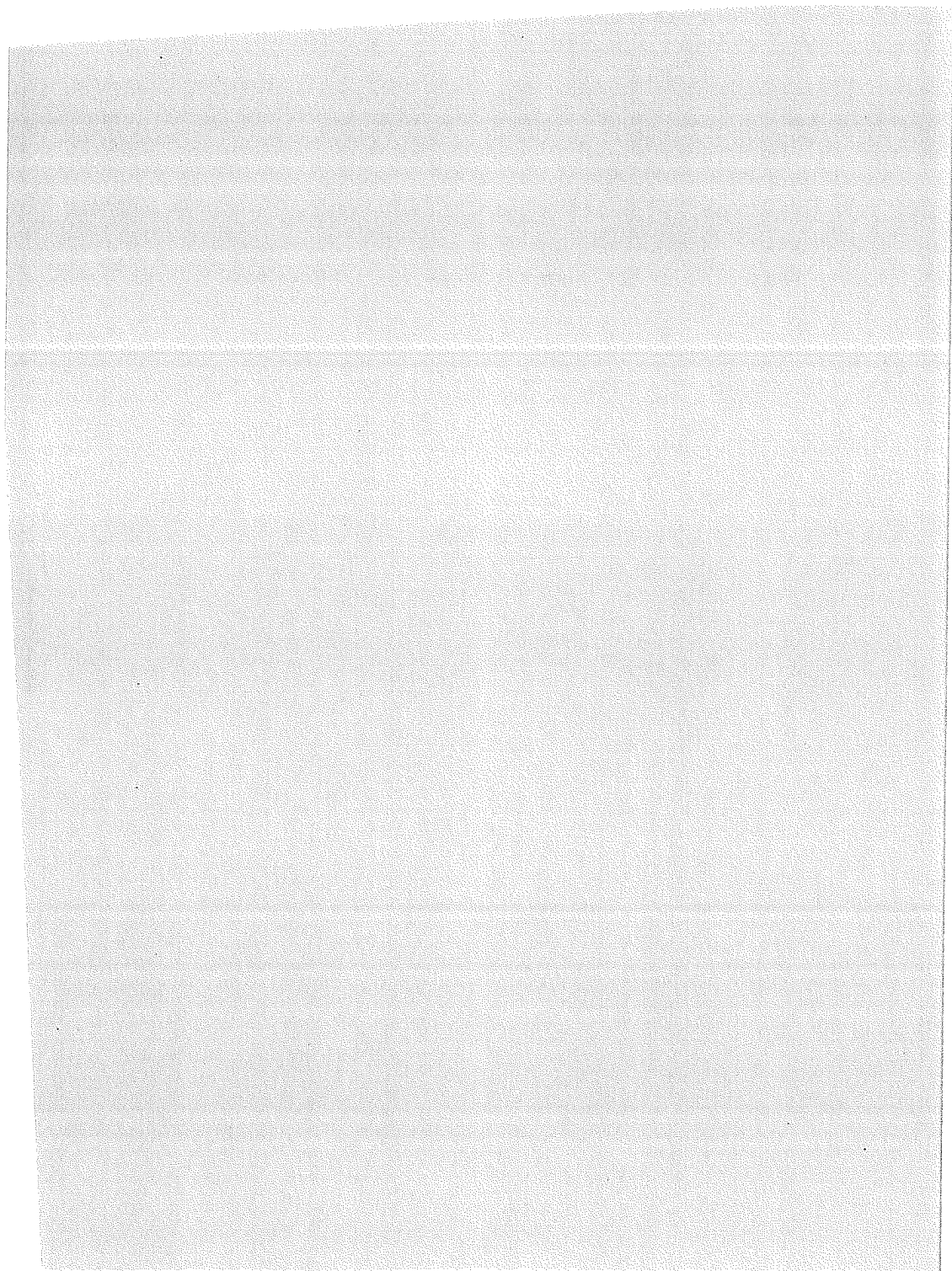
In Sherburne County, differences in parent material and vegetation account for most of the differences among the soils. Climate and relief are fairly uniform throughout the county, and all of the soils have been forming for about the same length of time. Many of the soils in Sherburne county exhibit characteristics of soils that formed under both grassland and forest vegetation. The county is in a transition zone between areas of these two types of vegetation.

In Baldwin Township, along the Rum River, we see the Cantlin soils, to the south on 169 below Princeton you will see the Seelyville and Bowstring soils, to the west of the city in the township, you will see the Zimmerman fine sand, to the southwest in the township you will see a mixture of different Zimmerman fine sands and to the east Zimmerman fine sands mixed with others soils, and finally to the south and southeast in the township you will see Zimmerman again with a lot of mixed soils. A map of the soils and their names are on file in the Township along with a CD discussing the Soil Survey of Sherburne County, MN. The soil survey for Sherburne County was done in 1993-1994 and was paid for by Sherburne County, MN.ⁱⁱⁱ

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Excerpts and Resource materials provided by Mr. Rich Harris, Commissioner
P.C. Materials on file

- ⁱ Soil Survey of Sherburne County, Minnesota 1993-1994, p. 13-15 Background information
- ⁱⁱ Anoka Sand Plain, Subsection Profile by Minnesota Comprehensive Wildlife Conservation Strategy
- ⁱⁱⁱ Soil Survey Map of Baldwin Township, created 09/05/12 Stearns County GIS Office



COMMUNITY HISTORY



CULTURAL HISTORY

BALDWIN TOWNSHIP 1858

BALDWIN TOWNSHIP is situated in the upper northeast corner of the county. It was organized on September 13, 1858 and was named after F.E. Baldwin of Clear Lake, who was an early county commissioner. At the time of its organization it included all the territory, which is now Baldwin, Blue Hill, and Santiago Townships. In 1877 it was reorganized and reduced to its present size, 23,040 acres.

Farmland drew settlers to the area. Others soon followed to offer goods and services to the farmers. To accommodate them the land needed to be divided because, unlike the Native Americans, these settlers wanted to have ownership. Surveyors divided the land, so they and their surveys, are a vital part of the history of the County.



According to the 1880 census the population of Baldwin was 256 persons. By the thirties the population had risen to 464 persons, followed by 538 persons in the forties, 416 persons in the fifties, 492 persons in the sixties and increasing to 1,099 persons in the seventies. Part of this 123 percent (123%) increase was due to individuals migrating from Blue Hill Township to Baldwin Township after the establishment of the National Wildlife Refuge. By 1977 the population was 2,208 persons.

The first white person to settle in Baldwin Township was Homer Hulett in 1854, followed by H.P. Burrell in 1855 and C.H. Chadbourne in 1856. Chadbourne, who became an important figure in Baldwin Township and was born near the battleground of the Revolutionary War in Lexington, Massachusetts. When he moved to Baldwin Township he owned little more than a claim to a primitive shanty. His holdings grew and improved until he owned an estate comprised of a comfortable residence and 614 acres of good farmland. At one time it was the largest farm in the county. He was considered to be a man of sound judgment and was respected in the community. He served as a State Legislator in 1874 and as a Sherburne County Commissioner for several terms. He also held numerous township offices.

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Other early pioneers and the dates of their arrival in Baldwin Township were: William Brown, 1861; Morris Guyett, 1856; Edward E. Grant, 1868; M.C. Sausser, 1881; F.B. Knapp, 1870, who served as chairman of the board of supervisors for three terms; W.H. Shaw, 1856, who served in the Second Minnesota Battery and was town clerk for many years and county commissioner for one term; Smith S. Trask, 1878, who served as township treasurer; and Isaac Young, 1866, who held offices of supervisor and assessor for several years.

The land that is now known as Sherburne County was originally part of Benton County. On February 25th in 1856, Sherburne County was organized through an act of the Territorial Legislature. The County was named after Moses Sherburne, Associate Justice of the Supreme Court of the Minnesota Territory. Sherburne County was organized before Minnesota became a State on May 11, 1858.

But how did Sherburne County get to its present size and shape? The answer is that Minnesota and the rest of the "frontier" land west of the 13 original colonies were surveyed into 6 mile "square" sections. This was done over a period of years. The last surveys in far northern Minnesota were completed in the early 20th Century. As areas were defined by these government surveys, they could then be described and sold.

School was in session in Baldwin Township as early as 1857. School District No. 10 was organized soon after the township came into existence and a schoolhouse was built shortly after on the west side of Section 8. The Baldwin Cemetery is located on land which was donated by a Mr. McClure. Many of the tombstones date back to the 1800's, some of them being over a hundred years old. Although a church had never existed in Baldwin Township, Sunday school was often held in the District No. 31 school house. It was also referred to as the Judkins School.¹

Settlement patterns followed transportation routes. These transportation routes included rivers, the Red River Ox Cart Trail, and later the U.S. Military Road. The railroad arrived in Elk River in 1864, but due to financial problems ("panics"), it took about another decade to reach St. Cloud.



As the development of the county changed, from decades of establishing farms and townsites to one of improving roads for farmers to get their crops to market, the role of the county surveyor gradually gave way to that of the County Highway Engineer. As a result of improved transportation, and difficulty making a living at farming, many people moved to the towns and cities, and housing began to replace farms. Also, at about this same time, most counties instituted zoning and subdivision ordinances to regulate platting development.

Sherburne County continued to attract new people. In 1969, the county's housing "boom" began with 33 plats filed in 3 years. It really began in earnest in 1972 with 26 plats, followed by another 16 and 22 respectively over the next 2 years. Development after development was proposed.

COMMUNITY HISTORY

From 1972 through 1999 there were another 824 plats recorded. The “record setting” year was 1996 with 105 plats. It is easy to follow economic recessions by the number of plats recorded. From 2000 onward the pace of development has continued and land values increased with an average of an additional 9 plats being added per month. Plats became larger with 20, 30, or more lots becoming common. This era also saw the advent of condominium and townhouse projects with “zero lot lines” between buildings. Those now moving back to the country onto smaller parcels, began to want (and needed) to know where their property lines were.ⁱⁱ

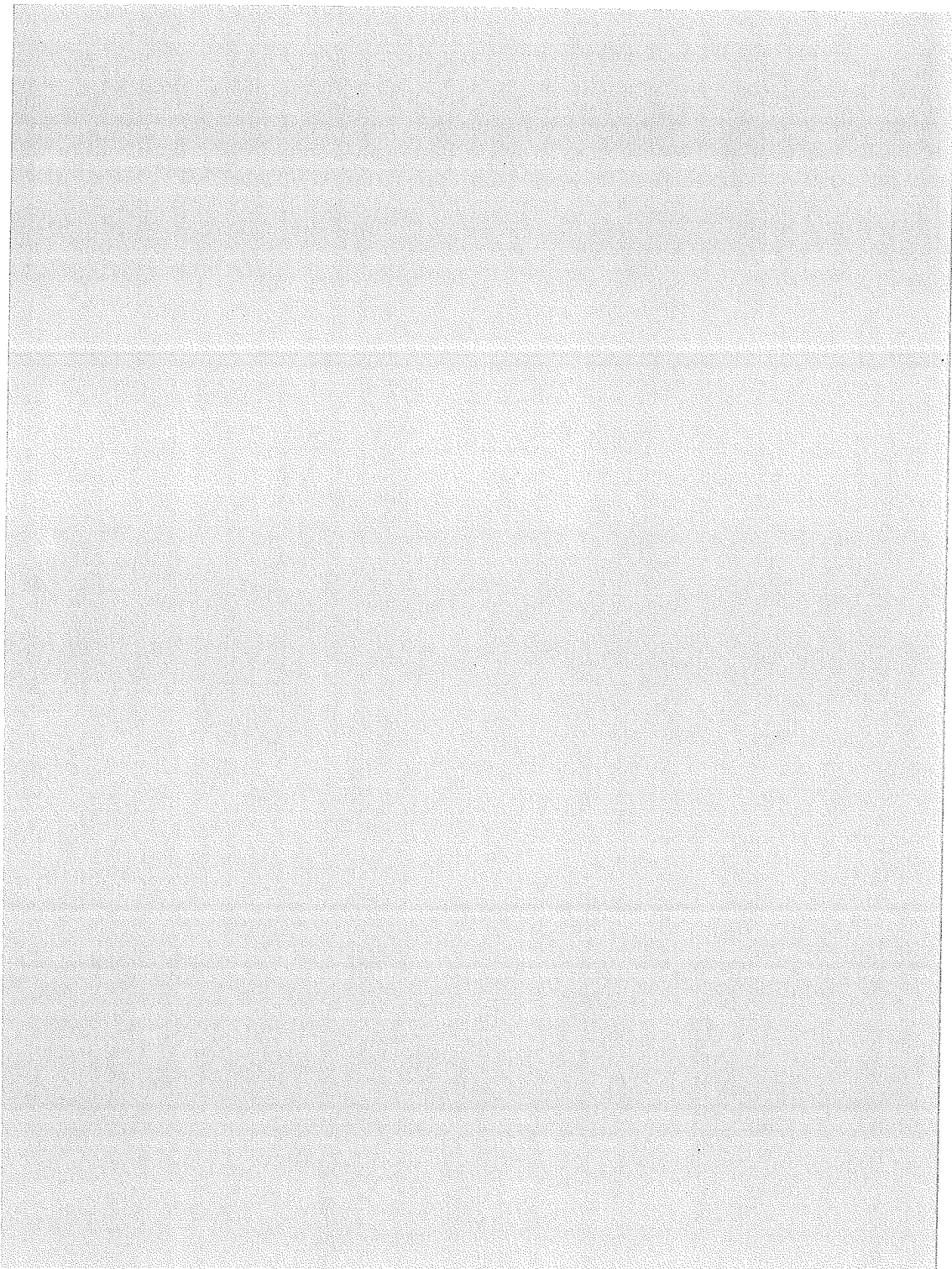
In the 1990s, the economy began a downturn and while Baldwin Township continues to grow, it does so in a much slower fashion. Today, there is approximately 6,756 population living in the Township. They commute to places of employment within the area of Princeton and Minneapolis as well as working with small businesses out of their homes with the advent of electronic and wireless communications. This small growing sector of businesses may be part of the reason that Baldwin residents prefer the area and make it their home today. Other reasons for the interest in living in Baldwin Township include some of the following; prime geographic positioning, a wealth of recreational opportunities, a classic rural atmosphere, and a growing employment sector.



Excerpts and Research done by Mr. Richard Harris, Commissioner
Planning Commission materials on file

ⁱ Baldwin Township. www.baldwintownship.com. (From: *The information about Baldwin was found in an unpublished manuscript called History of Sherburne County. It was written by Elaine Anderson. The manuscript (N.P.N.D.) is found at the Sherburne Co. Historical Society in Becker. This material is also included in HISTORICAL SKETCHES from BALDWIN TOWNSHIP & the SURROUNDING AREA by Herb Murphy.*)

ⁱⁱ Summer 2001. *Historically Speaking*. Newsletter of Sherburne County Historical Society, Volume 15, Summer 2001.)



DEMOGRAPHICS



POPULATION / HOUSING / INCOME

Population / Census Numbers¹

BALDWIN TOWNSHIP is the second most populated township in Sherburne County and the third most populated township in the state of Minnesota behind White Bear Township in Ramsey County and Big Lake Township in Sherburne County. Yet, the township has retained much of its warm community setting and openness.

The U.S. Department of Commerce, U.S. Census Bureau identifies Baldwin Township with having a population of 6,739 in 2011, a median age of 36.1, with 90% having a high school certification, 2,518 housing units and a median household income of \$76,600. Baldwin Township continues to show a healthy population growth higher than the neighboring cities and townships. Since the Township is situated along a major highway (State Highway 169) running north and south along with other county roads bisecting the township, it remains a progressive area for growth. While in the 2000's the economy was not as robust, the chart below shows a steady rise in the population, number of households continue growing and the persons/household remaining fairly steady. The 2011 Sherburne County Building and estimated Population Report stated that Baldwin Township had a population of 6756 which is slightly higher than the chart shows below. This is a positive curve for the township. The chart below notes the changes from 2000 to 2011.



DEMOGRAPHICS

	2011	2011	2011	2010	2010	2010	2000	2000	2000
	Population	Households	Persons/ Households	Population	Households	Persons/ Households	Population	Households	Persons/ Households
<i>Baldwin Township</i>	6746	2343	2.88	6739	2334	2.89	4623	1556	2.97
<i>Livonia Township</i>	5969	1910	3.13	5951	1900	3.13	3917	1222	3.2
<i>Mille Lacs Co. Princeton City (part)</i>	50	36	1.39	50	36	1.39	7	4	1.75
<i>Sherburne Co. Princeton City (part)</i>	4648	1892	2.37	4648	1890	2.37	3926	1620	2.33
<i>Princeton Township</i>	2240	835	2.68	2256	837	2.7	1947	693	2.81
<i>Zimmerman City</i>	5235	1808	2.9	5228	1802	2.9	2851	963	2.96

TABLE 1: POPULATION GROWTH 2000-2011

As you review the table below for the future population growth for Sherburne County from the year 2000 to 2040, you can see there are consistent increases predicted for the township. This may be due to fact that Baldwin Township is just a short distance away from entering the cities for work and play. It appears that the township will continue to grow at a moderate rate in the foreseeable future. This means that the township needs to identify their needs and build the necessary infrastructure to meet this growth and provide a healthy and productive environment for their residents.

	<u>2000</u>	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>	<u>2040</u>
Sherburne County	64,417	88,499	98074	108886	119364	129414	139117	148613

TABLE 2: Sherburne County: Population Projections from 2000 to 2040 in Sherburne County

DEMOGRAPHICS

The table below shows, based on the town's population of 6,667 in 2010 (as identified by the Census), the types of ancestry that are part of the Township. It is interesting to note that the predominant ancestry consists of German, Norwegian and Swedish descents.

ANCESTRY	Estimate	Margin of Error	Percent	Percent Margin of Error
Total population	6,667	+/-16	6,667	(X)
American	134	+/-139	2.0%	+/-2.1
Arab	0	+/-69	0.0%	+/-0.3
Czech	27	+/-27	0.4%	+/-0.4
Danish	76	+/-65	1.1%	+/-1.0
Dutch	96	+/-99	1.4%	+/-1.5
English	550	+/-305	8.2%	+/-4.6
French (except Basque)	363	+/-160	5.4%	+/-2.4
French Canadian	93	+/-69	1.4%	+/-1.0
German	3,301	+/-546	49.5%	+/-8.2
Greek	22	+/-34	0.3%	+/-0.5
Hungarian	8	+/-14	0.1%	+/-0.2
Irish	562	+/-210	8.4%	+/-3.2
Italian	245	+/-202	3.7%	+/-3.0
Lithuanian	0	+/-69	0.0%	+/-0.3
Norwegian	1,067	+/-340	16.0%	+/-5.1
Polish	595	+/-252	8.9%	+/-3.8
Portuguese	0	+/-69	0.0%	+/-0.3
Russian	73	+/-85	1.1%	+/-1.3
Scotch-Irish	60	+/-86	0.9%	+/-1.3
Scottish	44	+/-71	0.7%	+/-1.1
Slovak	0	+/-69	0.0%	+/-0.3
Sub-Saharan African	0	+/-69	0.0%	+/-0.3
Swedish	860	+/-317	12.9%	+/-4.8
Swiss	0	+/-69	0.0%	+/-0.3
Ukrainian	17	+/-25	0.3%	+/-0.4
Welsh	16	+/-24	0.2%	+/-0.4
West Indian (excluding Hispanic origin groups)	0	+/-69	0.0%	+/-0.3

TABLE 3. 2010 BALDWIN TOWNSHIP ANCESTRY

DEMOGRAPHICS



HOUSINGⁱⁱⁱ

The age of housing in Baldwin Township demonstrates that the majority of homes were built from 1990 – 2004 (see table below this portion). This would mean that the housing stock in the township remains fairly new and that growth in the township really happened during these years. The majority of these homes are owner-occupied with a very small amount showing as rented. When the total housing units are reviewed below, they are defined as 1 unit, detached homes (2,346 homes) with 102 mobile homes. In 2011, Sherburne County stated that they issued seven (7) single family homes for Baldwin Township. This shows a consistent growth for the community in the Township.^{iv}

YEAR STRUCTURE BUILT	Estimate	Margin of Error	Percent
Total housing units	2,456	+/-152	
Built 2005 or later	84	+/-50	3.4%
Built 2000 to 2004	652	+/-152	26.5%
Built 1990 to 1999	765	+/-171	31.1%
Built 1980 to 1989	232	+/-113	9.4%
Built 1970 to 1979	431	+/-174	17.5%
Built 1960 to 1969	57	+/-58	2.3%
Built 1950 to 1959	170	+/-89	6.9%
Built 1940 to 1949	19	+/-30	0.8%
Built 1939 or earlier	46	+/-61	1.9%

TABLE 4. HOUSING STOCK AND AGES

The table below identifies the number of owner-occupied and renter occupied units and the average household size of each. Owner-occupied housing is the preferred use in the Township.

HOUSING TENURE	Estimate	Margin of Error	Percent
Occupied housing units	2,270	+/-146	
Owner-occupied	2,136	+/-167	94.1%
Renter-occupied	134	+/-145	5.9%
Average household size of owner-occupied unit	3.04	+/-0.21	(X)
Average household size of renter-occupied unit	1.28	+/-0.47	(X)

TABLE 5. HOMEOWNER AND RENTAL RATES

DEMOGRAPHICS

The homeowner vacancy rate is at .8% and the renter vacancy rate stands at 0% meaning it is not measurable. Table 6 below show the owner occupied costs for a home in the Township.^v The majority of the homes are valued within the range of \$200,000 to \$299,999 with the second tier identified as \$300,000 to \$499,999. However, there are comparable numbers in the \$150,000 to 199,999 ranges. The median value for a home in Baldwin Township is around \$252,500.

NOTE: Clarification of definitions.

Median definition: One type of average, is found by arranging the values in order and then selecting the one in the middle. If the total number of values in the sample is even, then the median is the mean of the two middle numbers. The median is a useful number in cases where the distribution has very large extreme values which would otherwise skew the data.

Average definition: This is a term that is used, miss-used and often overused. Typically many individuals refer to average when they really mean the arithmetic average (mean). Average can mean the mean, the median and the mode.

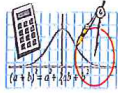
VALUE	Estimate	Margin of Error	Percent
Owner-occupied units	2,136	+/-167	
Less than \$50,000	84	+/-70	3.9%
\$50,000 to \$99,999	29	+/-44	1.4%
\$100,000 to \$149,999	103	+/-76	4.8%
\$150,000 to \$199,999	458	+/-151	21.4%
\$200,000 to \$299,999	878	+/-191	41.1%
\$300,000 to \$499,999	500	+/-149	23.4%
\$500,000 to \$999,999	84	+/-64	3.9%
\$1,000,000 or more	0	+/-69	0.0%
Median (dollars)	252,500	+/-20,619	(X)

TABLE 6. BALDWIN TOWNSHIP HOUSING VALUE

Rental Rates:

Rental rates reviewed in the township vary from a home ranging \$1,495.00/month to a rental unit for \$450.00/month to \$270.00 for office space. Rates become higher as you go further south into the Metro area. A sampling of the area's rates as of April, 2013 was made and is on file at the town hall offices. While there is no census data regarding turnover rates, it looks as if the community data shows stability and a lower housing turnover in general.

DEMOGRAPHICS



INCOME^{vi}

Below are two tables showing the income levels within Baldwin Township. These tables show that there is a natural bell curve to the income in the township and a comfortable middle to higher range of income.

Since the average age in the Township is 36.1 years, the tables below show that the township is perhaps in the best situation at this time to do infrastructure and provide quality services to the residents while the income level is strong.

INCOME AND BENEFITS (IN 2011 INFLATION-ADJUSTED DOLLARS)	Estimate	Margin of Error	Percent
Total households	2,270	+/-146	
Less than \$10,000	40	+/-53	1.8%
\$10,000 to \$14,999	19	+/-30	0.8%
\$15,000 to \$24,999	281	+/-113	12.4%
\$25,000 to \$34,999	31	+/-34	1.4%
\$35,000 to \$49,999	240	+/-89	10.6%
\$50,000 to \$74,999	492	+/-172	21.7%
\$75,000 to \$99,999	559	+/-167	24.6%
\$100,000 to \$149,999	463	+/-139	20.4%
\$150,000 to \$199,999	75	+/-70	3.3%
\$200,000 or more	70	+/-53	3.1%
Median household income (dollars)	76,600	+/-8,838	(X)
Mean household income (dollars)	80,895	+/-7,833	(X)

TABLE 7. HOUSEHOLD INCOME AND BENEFITS IN BALDWIN TOWNSHIP

DEMOGRAPHICS

When you review the family income table below, the median family income, in dollars, is \$82,261 with a per capita (per person) amount of \$28,216. This table shows that Baldwin Township is again in the middle range for income.

Families	1,816	+/-135	
Less than \$10,000	11	+/-18	0.6%
\$10,000 to \$14,999	0	+/-69	0.0%
\$15,000 to \$24,999	162	+/-95	8.9%
\$25,000 to \$34,999	42	+/-45	2.3%
\$35,000 to \$49,999	259	+/-93	14.3%
\$50,000 to \$74,999	298	+/-108	16.4%
\$75,000 to \$99,999	471	+/-150	25.9%
\$100,000 to \$149,999	458	+/-139	25.2%
\$150,000 to \$199,999	73	+/-68	4.0%
\$200,000 or more	42	+/-44	2.3%
Median family income (dollars)	82,261	+/-4,241	(X)
Mean family income (dollars)	85,158	+/-8,695	(X)
Per capita income (dollars)	28,216	+/-2,674	(X)

TABLE 8. FAMILY INCOME IN BALDWIN TOWNSHIP

DEMOGRAPHICS

POPULATION / HOUSING STOCK

GOALS/OBJECTIVES (ACTION PLANS)

GOAL 1: Identify, propose and support strong development practices within the township in order to support housing and the open town warmth and character of the community.

1. Implement a strong developer's agreement with sureties to guarantee that a development will be executed correctly.
2. Analyze the present road transportation and its' functions, and when a developer builds, identify possible connections to the older portion of the transportation system, and fund the new portion as well as the older affected road when it impacts that area in order for the town's transportation system to function efficiently.

GOAL 2: Review existing housing to see where there have been problems. Verify the plat and housing ages in order to recognize present and future infrastructure problems.

1. Begin a review of the plats within the township to see if they are built out completely and if they are not, then try to ascertain why they did not complete. Look for commonalities and/or problems within the plat.
2. Propose transition housing for all ages and examine new housing options for all life cycle housing and their placement in the township.
3. Identify the older housing and density within the township and consider future infrastructure work where it is necessary to help improve the standard of living for those that are there.

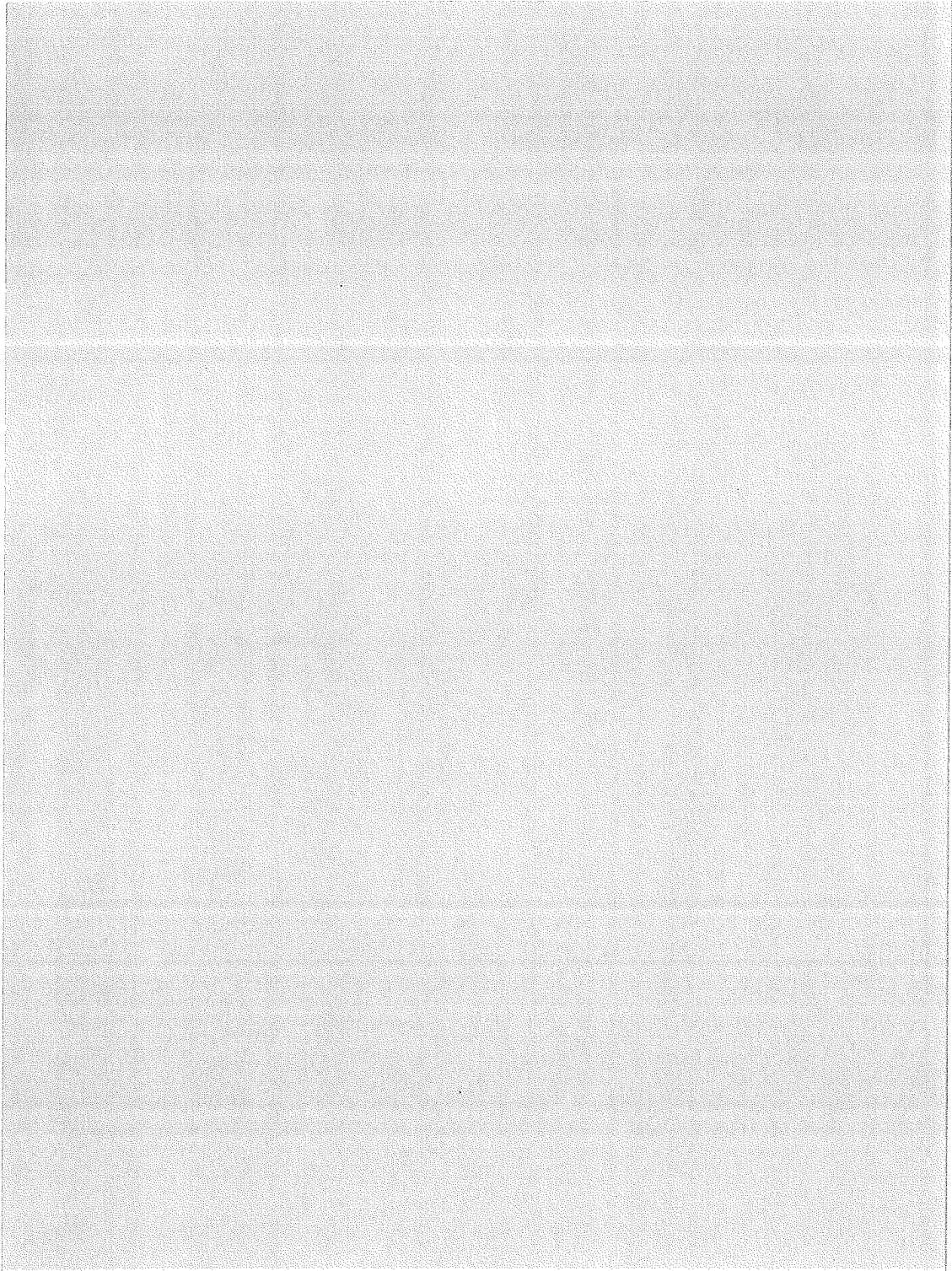
GOAL 3: Consider the present development of each land use within the township and develop a model for future growth so impediments will be minimized for orderly growth and expansion of each use.

1. Review and determine the business and home business situation within the township and decide if there are actions that can be used to support and encourage retention yet minimize any concerns with the neighboring areas.
2. Consider and investigate the possibility of an incubator (starter) business opportunities for the home based business in the township that might be at their full capacity and which could cause harm to the health, safety and welfare of the neighboring residences.

DEMOGRAPHICS

Excerpts, general research, rental review, and demographic sources obtained by Ms. Elly Rittenour and review by Ms. Judy Thorson, Commissioners

-
- i Sherburne County from 2000-2040. Minnesota Population Projections
 - ii Census data taken from the MN Demographic Center
 - iii U.S. Department of Commerce, U.S. Census Bureau, American Fact Finder. Megan Robertson October 16, 2012
 - iv Annual Report, 2011. Sherburne county Planning and Zoning Administration
 - v Online Research regarding rental units and costs. April, 2013. Commissioner Elly Rittenour
 - vi U. S. Department of Commerce, U.S. Census Bureau American Fact Finder, Megan Robertson October 16, 2012

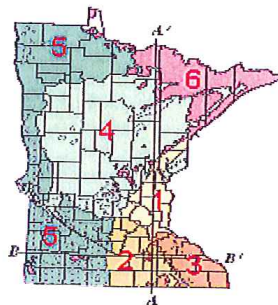


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Environmental Infrastructure

Minnesota is generally considered to have an abundant water supply. However, that supply is not evenly distributed across the state itself. Because of this, it can limit the amount of water that is available in some areas for development, such as some commercial and industrial uses that have large water requirements. Minnesota Department of Natural Resources has developed a Groundwater Provinces Map (shown below in the side margin) that shows Sherburne County is located in two provinces numbered as the Metro Province (No. 1) and the Central Province (No. 4). Within each province, groundwater sources and the availability of groundwater for drinking water, developmental, agricultural and industrial uses are similar. The Metro Province shows that sand aquifers are generally thick ((greater than 100 feet) sandy and clayey glacial drift overlying Precambrian sandstone and Paleozoic sandstone, limestone, and dolostone aquifers. The Central Province shows sand aquifers are generally thick sandy and clayey glacial drift overlying Precambrian and Cretaceous bedrock. Fractured and weathered Precambrian bedrock is used locally as a water source. The Biwabik formation, an iron ore deposit found in Itasca and St. Louis counties, can have good aquifer properties. It appears that Baldwin Township lies in the Central Province on the map to the right. To see a larger map, one is on file at the town hall offices (Planning and Zoning files). This would mean that the availability of groundwater sources are good in surficial sands, moderate in buried sands and limited in bedrock below.



Provinces 1 and 4 (metro and central, respectively) are characterized by buried sand aquifers and relatively extensive surficial sand plains as part of a thick layer of unconsolidated sediments deposited by glaciers overlying the bedrock. Province 1 is underlain by sedimentary bedrock that has good aquifer properties, but in Province 4 the glacial sediments are thick, sand and gravel aquifers are common, and the deeper fractured bedrock is rarely used as an aquifer.ⁱ

Groundwater is the water that fills the small spaces between rock particles (sand, gravel) or cracks in solid rock. Surficial water becomes groundwater by seeping into the ground and filling

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these spaces. The top of the water-saturated zone is called the “water table” which is very important when dealing with placement of wastewater treatment systems.

An aquifer is any type of geologic material, such as sand or sandstone, which can supply water wells or springs. The groundwater, which supplies wells, often comes from within a short distance from a well. How fast groundwater moves depends on how much the well is pumped and what type of rock particles or bedrock it is moving through. The name of the aquifer that travels through the area within Baldwin Township is called the “Mount Simon Aquifer Extent” which ranges from Duluth (St. Louis County) through Sherburne County and down in a SW line to Martin and Faribault counties.ⁱⁱ

Water Infrastructure / Wells

In Baldwin Township, most of the wells are individually drilled wells for each property or parcel of land that is used by a home or by a commercial venture. It is unknown if there are any shared well systems in the Township. Contact with local well drillers and Sherburne County did not procure any definitive materials for this section. On file at the town hall is a copy called *Well Owner's Guide (A Consumer's Guide to Water Wells in Minnesota)*. It is the third edition (updated October 2010) done by the Well Management Section, Environmental Health Division of the Minnesota Department of Health. This guide discusses the hydrologic cycle and how water comes to be, wells and their construction, the water system and equipment, how to have a safe well, sealing unused wells, record keeping, well disclosure at sale, troubleshooting and miscellaneous information. It is an excellent document to help a new landowner understand the what, who, where, when and why and even the how for wells.ⁱⁱⁱ

Another valuable tool provided by the Minnesota Department of Health is a document called *Isolation Distances from a Water Supply Well (Chapter 4725 Rules Relating to wells and Borings May 10, 1993)*. This informational sheet identifies the distances from many different sources of contamination that could affect a well and is used by contractors, wastewater installers, and parties when making decisions on utilities and infrastructure.

The City of Princeton, through the Princeton Public Utilities Commission, has developed and is in the process of implementing a *Wellhead Protection Plan (Part 2 Amendment)*. A Public Hearing was held in Baldwin Township on the 18th of October, 2011 to explain and receive public comment from those residents affected in the South DWSMA (Drinking Water Supply Management Area). This area affects the city's drinking wells No. 8 & 9 and while they are located within the city limits, the land surrounding them are all in Baldwin Township. Those businesses located in Baldwin Township in this area are served mainly by individual wells and septic systems. Mounted maps are available for viewing at the town hall offices showing the Northern and Southern Drinking Water Service Management Areas (DWSMA) dated January 14,

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2011.^{iv} The township should encourage education for all businesses in this area about proper well and septic management and best management practices to protect their wells and septic systems from contamination which could shorten the life of their systems. Training and educating about spill and hazardous waste management are also areas of mutual concern for both Baldwin Township and the City of Princeton.

As Baldwin Township begins to develop action plans and ultimately rules and regulations for zoning especially in the northern portions of the township, there should be some consideration of lot sizes, setbacks, contamination issues with certain developments, density of properties (i.e. commercial and industrial uses versus residential land uses), soil conditions and consideration to the idea of community septic and well systems. In that respect, the township has statutory tools to facilitate this. Some of these statutes are environmental authorities, water/wastewater abilities and the use of centralized community water/wastewater treatment systems (CSTS systems) that are managed by the township. Community wells are also being considered in some areas of the state.

Sherburne County has a local water management plan for the county which is prepared and updated by the Sherburne Soil and Water conservation District and the Sherburne County Water Plan Advisory Committee. The plan was recently updated and amended on July, 2012 to go through February, 2017. It covers the whole county and provides objectives, goal or action items that need to be amended to deal with water quality protection and the best management practices to maintain and remediate existing degradation issues. This is the fourth version of the management plan and Baldwin Township gave input into the document. Water quality best management practices and goals in the county's plan give opportunities for financing and funding for projects within the township.^v

Wastewater Infrastructure / Septic Systems

As stated in the beginning of this section, a large majority of the wastewater treatment systems in Baldwin Township are on each individual's property. Very little information is known about how many individual wastewater treatment systems are in Baldwin Township and the status of these systems at this time. This may be a goal of the planning commission to start work on this section of the comprehensive plan. There are five private wastewater treatment systems in the township that are currently under private management and provide a yearly report to the town board regarding their operations. They have been identified as Southern Pines, Baldwin Cove, Baldwin Meadows, Frontier Trails, Nordwall Estates and Nordwall estates 2nd Addition.

Sherburne County has the authority, rules and regulations for installation, alteration, repair or expansion of wastewater within the County. This is done under Section 17.5 – Subsurface

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Sewage Treatment System Program in their Zoning Ordinance. This ordinance applies to all unsewered areas within townships including Baldwin Township. The purpose of this ordinance is to establish minimum requirements for regulating of individual septic and medium sized community sewage treatment systems with the county to protect the health, safety and welfare of the residents in the county, protect groundwater quality, and to prevent or eliminate the development of public nuisances.^{vi}

Should Baldwin Township have failure problems within the township, there are many remedies that can be applied to help their residents and citizens. Most notable is called a centralized wastewater and/or water treatment system which the township can manage under Minnesota Statute 365A (Subordinate Service Districts) and their other statutory powers. It is a model that has been used successfully in many other counties specifically up north in Cass County, and down in Scott County. It can be used for any size of groups and/or with more than one design on the treatment site. The goal is to provide for the collection of wastewater to one area and having it managed carefully by the governing entity. Governmental entities usually have been in place for years and have statutory abilities to establish ordinances, initiate legal contracts, secure easements and purchase property, execute bond and financing needs, meet insurance requirements and recover from those landowners who have unpaid service charges. These capabilities help to insure that the management and long-term care of a community system will provide the checks and balances to keep a system in working order.

In closing Baldwin Township may need to begin to share this effort with Sherburne County due to the nature and amount of homes within the township. This is a future role that can be played in order to maintain a healthy and successful environment for the township.

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Goals / Objectives (Action Plans)

Water Infrastructure

Goal No. 1: Increase the knowledge of the importance of water for all types of properties in the township in order to protect the impacts of differing water uses.

1. Consider an annual well testing program with Sherburne County and neighboring entities in order to provide a data base for existing wells in the township.
2. Provide water and well information to property owners when they move into the township.
3. Identify financing available for repair and replacement of water systems for landowners and businesses.
4. Work with Sherburne County to do groundwater modeling in the township and neighboring areas in order to understand the mechanics of water movement.

Goal No. 2: Develop partnerships with local fire departments and implement fire protection information for residents and business.

1. Identify and work with businesses for fire protection practices with the Fire Departments.
2. Consider a “fire day” wherein people can come in and have coffee with their local fire and police protection officials and receive training.
3. Implement information in the Baldwin Township newsletter on fire alarms, CO₂ detectors (carbon dioxide detectors), fire signage in windows, ladders, and fire exit strategies.
4. Identify water sources that could shorten the time to help with fire protection such as in underground tanks and dry hydrants.
5. Educate businesses in the area about proper well and septic management with using best management practices to protect their wells and septic systems from contamination.

Wastewater Infrastructure

Goal No. 1: Working with Sherburne County Environmental Services, implement a wastewater information system that identifies the Township’s existing systems and a method of input for new systems on each parcel to track for future compliance.

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1. Review with Sherburne County the ages of the systems within the township and seek copies of permits for at least the past two years to begin a data base. Seek copies when a new system is put into place, especially into a platted subdivision.
2. Identify different methods to deal with small tracts of land through a Subordinate Service District model or by other means. Work with Sherburne County to review and understand their rules and regulations pertaining to Baldwin Township.
3. Review plats that contain multiple lots and most especially those that have very small lot sizes in order to avert the issues of water and wastewater contamination. Identify placements with a secondary wastewater treatment site. Consider a community system that is maintained and managed properly when it is feasible or needed to repair and/or replace existing systems.
4. When a new plat is proposed, review options to protect the natural resources of the area by the use of larger lot sizes, combinations of wells and/or wastewater treatment or community systems.

Goal No. 2: Implement an education program for Baldwin Township residents to understand their water and wastewater treatment systems, ways to protect and take care of it, as well as what they can and cannot do with it.

1. Seek out information from the Minnesota Extension Service in regards to water/wastewater information.
2. Identify financing to repair and restore wastewater treatment systems when they fail for those parties that have needs. Consider the implementation of a revolving loan program with local banks or the neighboring regional development commission or Sherburne County.
3. Use the township newsletter to annually educate the community about how to manage their wastewater treatment system long term and extend its life.

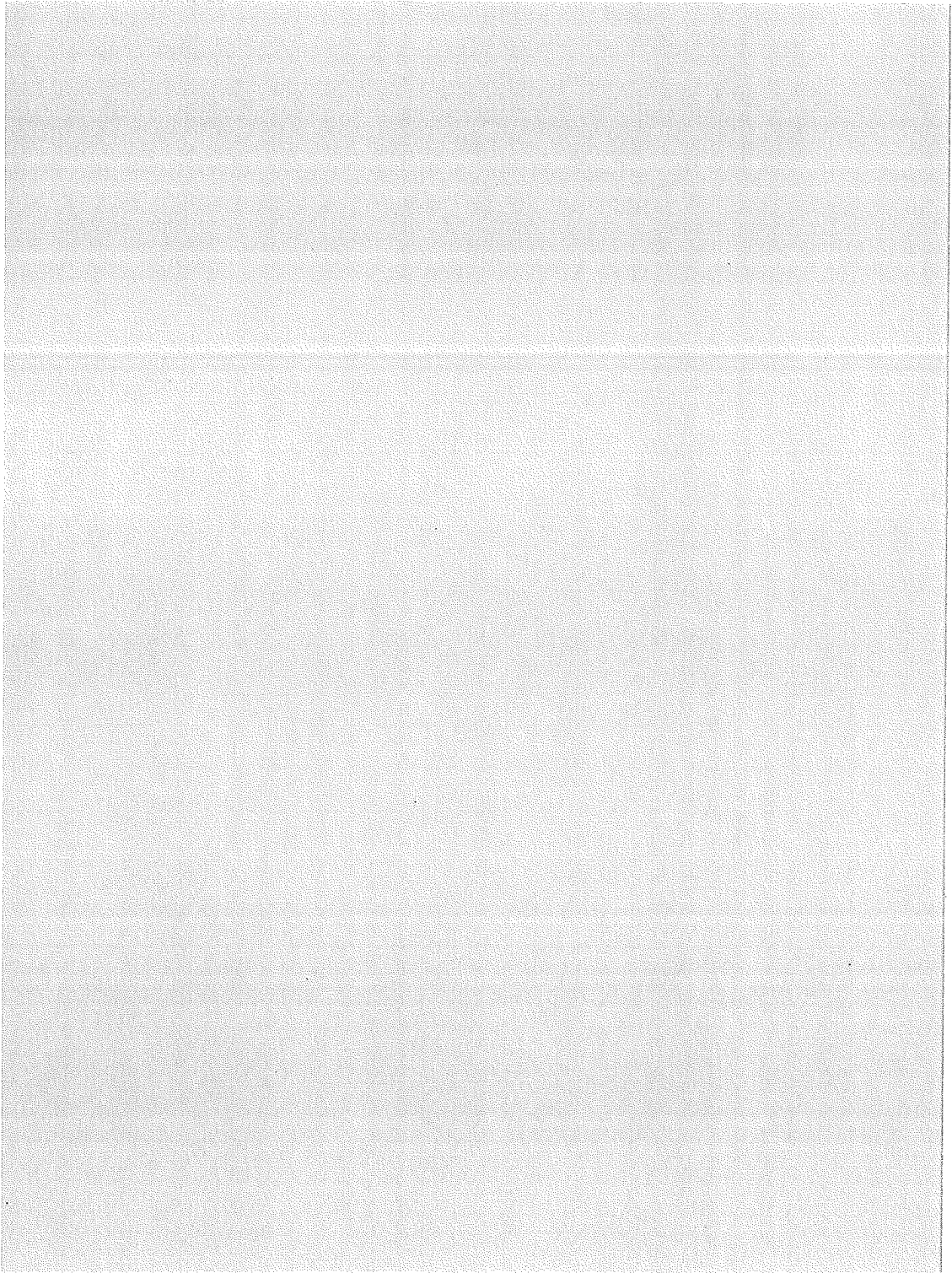
Sources and excerpts courtesy of Commissioners Peggy Patton and Ross Perry. Planning Commission Materials are on file.

ⁱ August, 2011. [Minnesota Ground Water Provinces](http://www.dnr.state.mn.us/waters/ground_water/provinces/mngwprov.html). Minnesota DNR Waters website http://www.dnr.state.mn.us/waters/ground_water/provinces/mngwprov.html

ⁱⁱ March, 2011. Results of the Minnesota Pilot Study for the National groundwater Monitoring Network. Minnesota department of Natural resources. Minnesota Pollution Control Agency.

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- iii October, 2011. Handout entitled *Where Does Your Drinking Water Come From?* Minnesota Department Of Health.
 - iv October 18, 2011. Princeton Public Utilities Wellhead Protection Plan. Part 2 Amendment
 - v July, 2012. Sherburne County. Local Water Management Plan. 2007 through February, 2017. Amended July, 2012
 - vi April, 2011. Sherburne County. Section 17.5 – Subsurface Sewage Treatment system Program



INTERGOVERNMENTAL RELATIONS

citizens of Baldwin Township with the City of Princeton. It is a reminder that citizens suffer when governmental entities cannot work together jointly.

Today, governments have become more interdependent in order to sustain themselves. Developing working arrangements with the local governmental entities in the area and pooling their efforts will help everyone to keep costs down for their residents. Further, long-term land use management will help identify what the future of Baldwin Township and the surrounding area will look like. These cooperative efforts may advance the whole regional area and allow everyone to benefit and continue to grow.ⁱ



INTERGOVERNMENTAL RELATIONS

GOVERNMENTAL RELATIONS

Goals / Objectives (Action Plans)

- Goal 1:** Identify and implement different methods to interact with neighboring cities and townships to provide better communication, knowledge of needs and trust in order for the area to prosper economically and to build a better community.
1. Exchange newsletters with Town Board /City Council / Sherburne County quarterly in order to keep current with what is happening.
 2. Rotate quarterly and have board members visit with council members to discuss like issues and how they could be handled over a cup of coffee before they become contentious. Improve communication efforts to build a rapport with others.
 3. Review where there could be shared visions and economies of services in order to reduce costs for everyone.
 4. Identify when there are possible grant dollars that could impact the whole area and work towards the common goal. An example of this is the 4 R Park Board which uses this concept to finance the regional goals and objectives for the park system.
- Goal 2:** Communicate and educate the township, its residents, and the neighboring entities regarding options on incorporation, consolidation, orderly annexation agreements, and contractual working relationships in order to have better understanding by all parties regarding future relationships together.
1. Identify a subcommittee of board and planning commission members to educate themselves on the merits and drawbacks, including legal ramifications of incorporation, consolidation, orderly annexation agreements and other mechanisms.
 2. Review and consider other prior agreements from entities that have met these challenges successfully.
 3. Educate the community on these same issues and how the town board may wish to deal with them. Consider actively seeking input through informal coffee meetings to allow residents to come in and sit down and have frank discussions.
 4. Interact with the city of Princeton to discuss, without any decisions, the future of the area and the options for the future such as cooperation, orderly annexation and/or joint contract

INTERGOVERNMENTAL RELATIONS

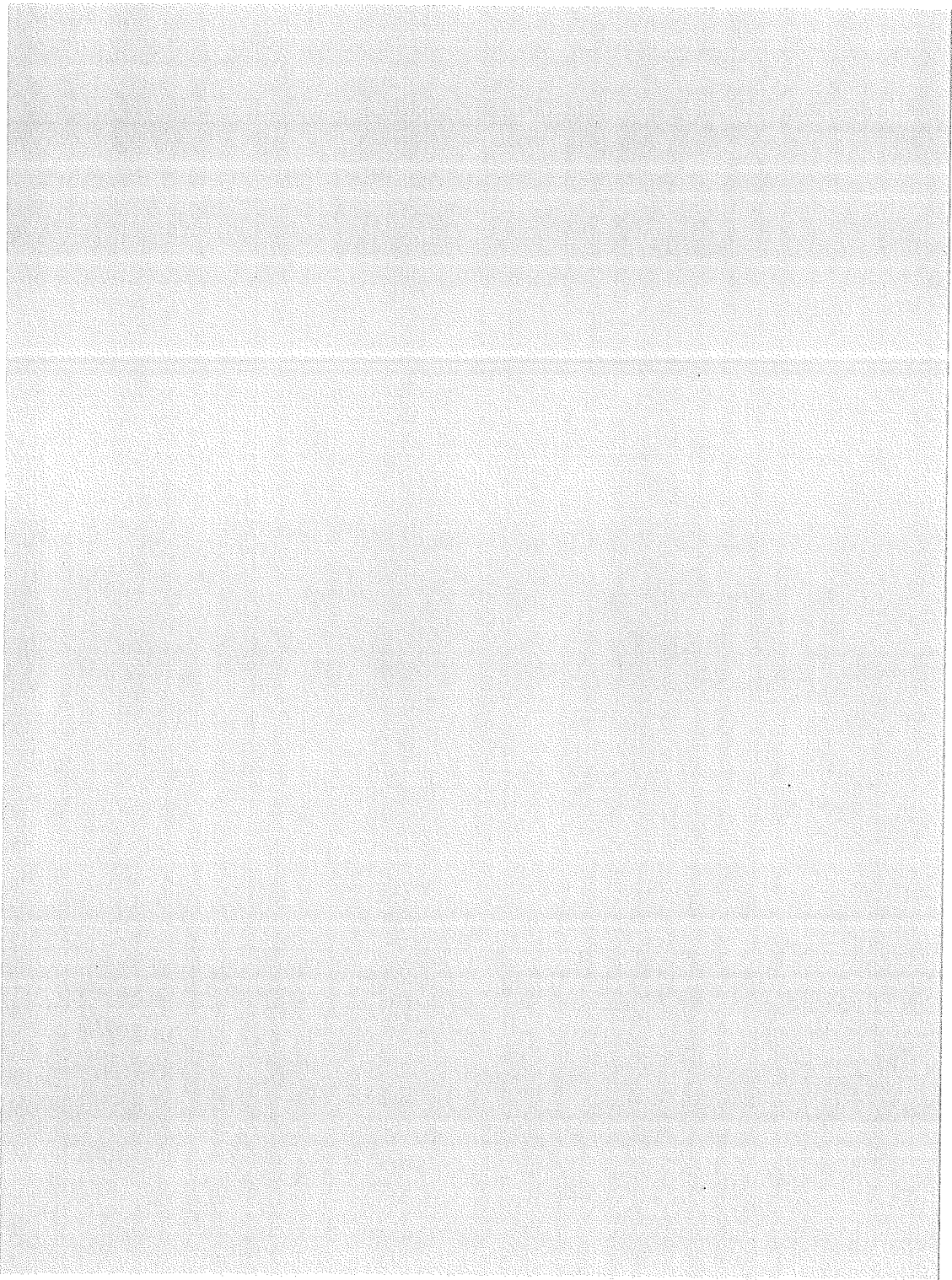
arrangements. Consider this in an unhurried, unhampered manner and take the time to consider everything.

Goal 3: Prepare and implement working agreements with the neighboring townships and cities regarding reciprocity and emergency planning for problems such as natural disasters, water and wastewater issues, and storm preparedness.

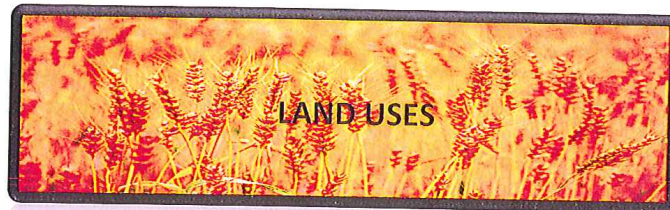
1. Discuss reciprocity agreements for the fire departments and initiate those agreements in advance of problems.
2. Review MN Rural Water Association Emergency Water/Wastewater Plans for disaster situations and work towards implementation with neighboring entities
3. Implement a preparedness action plan and convey its contents to the residents of the township, inclusive of road exits, water and wastewater tools and who to contact in case of an emergency situation. Consider drills to practice.
4. Prepare a capital improvement plan and place dollars aside to purchase necessary equipment and signage for possibly emergency situations.
5. Coordinate with Sherburne County Liaison Services where possible to affect the necessary steps to a successful plan for the regional area.

Source Information provided by Mr. Rich Harris, Planning Commissioner

¹ Documents on file at the Township Hall / Planning Commissioners files



LAND USES



Land Use

In the table below, there is a breakdown of the types of property (land uses) within Baldwin Township that were obtained from the Sherburne County Assessors' Office for the year 2014. The following also includes the property classifications and the amount of acres involved in the Township.

Type	Acres
Ag Homestead Improved	2,564.52
AG Homestead Unimproved	2062.43
Ag New Homestead Improve	660.30
Ag New Homestead Unimproved	<u>3788.01</u>
Total AG	9075.26
Managed Forest Land	427.17
Seasonal Recreational Residential Improved	55.55
Seasonal Recreational Residential Unimproved	<u>8.98</u>
Total Seasonal Recreational	64.53
Non-Ag HS Improved	8460.59
Non-Ag HS Unimproved	249.26
Non-Ag NH Improved	882.60
Non-Ag NH Unimproved	<u>776.75</u>
Total Non-Ag	10369.20
Apartments 4-more	None
Apartments Low-Income	None
Resorts Improved	None
Resorts Unimproved	None
Commercial Services	34.29
Golf Course	66.63

LAND USES

Commercial	162.28
Industrial	18.80
Public Utility	10.83
Railroad Operating	.77
Mineral	None
Tax Exempt / Forfeit	371.99

TABLE 9. BREAKDOWN OF PROPERTIES IN BALDWIN TOWNSHIPⁱ

Baldwin Township, according to the classification system, much of the township is in a residential pattern with agriculture and tax exempt/tax forfeit lands next. Then comes commercial and industrial properties with the seasonal recreational properties bringing up the rear. For 2014, the tax capacity of the township will be \$4,075,957. Promoting quality housing and good farming practices will help to keep the township diversified and prosperous. It is good to have a balance of uses to keep the township tax base healthy and allow the community to maintain roads and other infrastructure.

Agriculture

Agriculture covers the second largest amount of acreage (8,056 acres) in the township. The predominant agricultural area is the northwest corner, the middle or southerly area of the township. It is usually mixed in with residential areas with plats. While it may be the largest area in acres, it is not the largest occupation as shown in the table below:ⁱⁱ

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LAND USES

<u>TYPE OF INDUSTRIES</u>	<u>Estimate</u>	<u>Margin of Error</u>	<u>Percent</u>
Civilian employed population 16 years and over	3,485	+/-299	3,485
Agriculture, forestry, fishing and hunting, and mining	57	+/-47	1.6%
Construction	443	+/-143	12.7%
Manufacturing	754	+/-227	21.6%
Wholesale trade	66	+/-48	1.9%
Retail trade	473	+/-169	13.6%
Transportation and warehousing, and utilities	204	+/-104	5.9%
Information	10	+/-17	0.3%
Finance and insurance, and real estate and rental and leasing	256	+/-126	7.3%
Professional, scientific, and management, and administrative and waste management services	131	+/-72	3.8%
Educational services, and health care and social assistance	648	+/-173	18.6%
Arts, entertainment, and recreation, and accommodation and food services	114	+/-71	3.3%
Other services, except public administration	198	+/-108	5.7%
Public administration	131	+/-88	3.8%

TABLE 10. Types of Occupation in Baldwin Townshipⁱⁱⁱ

It shows that manufacturing (754) is first, followed by education and health care services along with social assistance (648) as the larger industries in the township. Then they are followed by retail trade (473). Agriculture is ranked 13th out of 14 types of industry.

When you look at the breakdown of the workers in the township in the table on the next page, you can see the different types. It is interesting to note that private wage and salary workers are the majority followed by government workers. Self-employed workers owning their own business comprised 282 of the total workers which may be underreported according to the township's knowledge of the private home based businesses.

LAND USES

CLASS OF WORKER	Estimate	Margin of Error	Percent
Civilian employed population 16 years and over	3,485	+/-299	3,485
Private wage and salary workers	2,812	+/-352	80.7%
Government workers	375	+/-130	10.8%
Self-employed in own not incorporated business workers	282	+/-149	8.1%
Unpaid family workers	16	+/-26	0.5%

TABLE 11. CLASSES OF WORKERS IN BALDWIN TOWNSHIP

A compilation of the number of farming operations located in the township along with the acreages of each was completed and is on file at the town hall. Complete verification will need to be done and updated to understand the needs of the agricultural sector as well as the setback and land use classifications around them for future use.



While it is unknown what specific types of farming are done in Baldwin Township, there is a 2007 Census of Agriculture for Sherburne County (in township office files/Planning & Zoning) which states that the county ranks 54th in the value of crops including nursery and greenhouse products sold and 61 in the value of livestock, poultry, and their products sold. The value of sales for the commodity groups were state ranked (87 counties) are stated below:^{iv}

ITEM	STATE RANKING
Grains, oilseeds, dry beans, and dry peas	65
Tobacco	-
Cotton and cottonseed	-
Vegetables, melons, potatoes, and sweet potatoes	2
Fruits, tree nuts, and berries	29
Nursery, greenhouse, floriculture and sod	8
Cut Christmas trees and short rotation woody crops	1
Other crops and hay	57
Poultry and eggs	41
Cattle and calves	55
Milk and other dairy products from cows	71
Hogs and pigs	59
Sheep, goats, and their products	76
Horses, ponies, mules, burros, and donkeys	36
Aquaculture	39
Other animals and other animal products	49

TABLE 12. RANKING OF SHERBURNE COUNTY IN AGRICULTURAL CROPS

LAND USES

Sherburne County ranks first & second in cutting Christmas trees and in vegetables, melons, potatoes and sweet potatoes. The rest of the rankings were at the lower end with milking ranked at 71 out of 87 counties. Tobacco and cotton are not grown in Sherburne County. The rest of the census showed the following: a). that farming was not the primary occupation in the county, b). males tended to be the principal operators in agricultural and c). that the average age of the principal operators were 58.4 indicating that this occupation may be on the decline in Sherburne County.^v



Prime farmland is land with a dependable water supply, favorable temperatures and a good growing season, acceptable levels of certain nutrients in the soil, and few or no rocks. While Baldwin Township has a more sandy soil mantle, the soils are more porous and therefore the Crop Productivity Index for land in agricultural production in Baldwin Township appears to be around 0-20 in some places and 20-40 (with 100 = best) in others. In order to obtain a higher yield of crops, added expenses for water irrigation of crops and fertilizer are needed for sandy and marginal soil quality.

In the early fall of 2012, a committee of representatives and Sherburne County staff and related departments met and discussed the issue of feedlots. A planning commissioner from Baldwin Township represented the township at these meetings. Healthy discussions and comments were given and a draft Feedlot Ordinance was developed and a public hearing was held in December. At this time, the Sherburne County Board of Commissioners has put the Feedlot Ordinance on hold and there is no indication that the ordinance will be approved in the near months.^{vi} Feedlots that are located in the township are identified on a map filed at the town hall.^{vii}

Soils

The soils in Baldwin Township were formed from deposits of glacial till, outwash sand and gravel. These soils tend to have rapid to very rapid permeability, low moisture holding capacity, low natural fertility, and low organic matter content. Due to rapid permeability and other factors, these soils are poor filters for such things as wastewater system and fertilizers on field. This can lead to a moderate or severe groundwater issue for wells and aquifers.



A map of the soils within Baldwin Township is available at the town hall (Planning and Zoning files). It shows the varying degrees of soils and mixtures which are located in the predominant soils. It is interesting to note that where the soils have loam in them, you will generally find agriculture. The pattern of land uses can sometimes follow the soils in the township. When

LAND USES

reviewing the types of soils and their characteristics for building site development, wastewater treatment systems, crops, pastures and windbreaks, each soil unit reveals what they do well.

The details for each soil can be found by going to the soils website at: <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>.^{viii}

Subdivisions / Plats

Baldwin Township has a copy of all of the numerous plats and land surveys completed in the Township. Mr. Ross Perry, Commissioner researched all of the township plats and they are now on file in the township office in two large books (in alphabetical order). There are 200 signed copies of the final plats and there is an attached sheet to each plat that details the following information:

- Date the plat was recorded
- The sleeve number at the courthouse
- The recorded document number
- Whether the plat is Torrens registered or not
- Township name, section and range
- Whether it is a replat
- Number of blocks, lots, and outlots
- If there are any parks in the plat
- Easements and drainage dedications
- Wetlands and topographical information
- Names of public waters
- Local streets or county names
- Land Surveyor's name that completed the Plat
- Land Surveyor's firm that completed the Plat

In addition to the above information, Baldwin Township has obtained a map from Sherburne County showing all of the known plats and where they are located. This is a great visual in understanding the relationships of each plat to the other. There were a number of other items available through Commissioner Perry's reviews which are also in file:

- Township corner sections which have been resurveyed
- Some Highway replats and easements
- Baldwin Cemetery which was done in 1928 with 186 lots. Baldwin Township manages this Cemetery.

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All of this information is valuable in application review work for dedication of easements, utilities and drainage issues, and in future platting work such as street connections, water bodies and possible topography issues. Future review of the plats should be done to see which plats may be fully built and where others are not, what was the cause. This may give insight and helpful answers towards future matters and how to prevent them.

Economy / Commercial and Business Uses

Presently, there is approximately 282 acres of commercial and industrial land in the township. There is also a silent majority in the township that have home based businesses. To date, 768 home based businesses are listed with the State of Minnesota that are licensed. A map has been compiled showing where these businesses may be located. While it is certainly not the most current, it gives the township a sense of what and why landowners remain in the township besides going to work in the cities and neighboring areas.

In addition, the township has their primary business in sections 4 & 9. It is comprised of both commercial (retail and general business) as well as industrial businesses. Recent surveys in the past years have asked the commercial businesses for their comments on their location, what their needs were, how long they have been there, etc.

A recent community survey was commenced in the fall of year 2013 and the final results were collated along with the past surveys, and submitted to the Baldwin Town Board and Planning Commission in March, 2014 at a joint meeting. The complete survey along with past surveys are attached in Appendix B and some of the business related comments are listed below.

Even though each survey did not have the same specific question, in general the following comments were made:

- The answers stated that they have had their business here for a long time
- That there was a large home based business group interested in many items such as:
 - More internet access
 - Social networking
 - Need more infrastructure and media needs
 - They liked the “small downtown” feel
- Many were self-employed operators showing a strong sense of entrepreneurship
- They had minimal time to do “outside” work. Suggest that semi-annual meetings would be good
- Most businesses located here because they are township residents meaning

LAND USES

- that these businesses are probably vested in the future of the township.
- The businesses felt that this was a good place for them to conduct business
- There were some issues with the roads
- They did not care for the big box types of development, but were very much for economic development and job creation

In the recent 2013-2014 general survey, there were two places to comment. The following comments were made regarding business:

- Community would like to see growth
- Possibly want a main street to identify with
- Internet speed increased
- Promotion of job opportunities
- Expand and attract businesses to the area
- More infrastructure for business / streets, water and sewer where necessary
- Manage commercial, but don't have a lot of regulations
- Need more light commercial
- Decrease impact of lighting / more consistent and uniform
- Retail stores
- Have businesses that the residents can use all of the time

General Suggestions:

1. Business community redevelopment plan which could also lead to business retention and expansion
2. Consider an incubator or beginning business option to attract and allow local home based businesses to grow
3. Review and implement plans for improvements for all types of infrastructure inclusive of more wireless opportunities
4. Consider a road improvement plan for just the business area / inclusive of tree planting and walking trails for residents to use the retail stores that are available.

In all of the surveys, common themes were seen such as fix roads, build a better business environment, offer more social and internet opportunities, and help to retain and bring in new businesses to spread the tax base out. The incubator business model has worked in other communities and it might be a recommendation to the township to consider this program. This might be a great way to help new business where there are large home based businesses.

Baldwin Township has always been very supportive and proud of their connections to the businesses in the township and are presently reviewing the opportunity to work with the Minnesota Extension Service to do a Business Retention and Expansion program. A successful

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outcome to this project could bring in more business with new and fresh ideas which will help the business community to grow and prosper.

LAND USE GOALS

Goals/Objectives (Action Plans)

GOAL 1: Establish land use patterns that will provide strong connections to existing developed areas, public amenities and the natural landscape. Maintain the community with a balanced mix of agricultural, residential, commercial services and industrial development.

1. Agricultural: Retain the quality agricultural land and protect agricultural zones in the Township from unwarranted residential land uses and other intrusions. This could be done by the following:
 - a. Identify the soils in the Township which support agricultural uses and determine if they are already being used for agriculture use. If not, designate those areas for agricultural that are available.
 - b. Support the Right to Farm Law in a policy which allows the agricultural uses within the township, once established for a period of five years, to be allowed to continue their uses even when residential is encroaching.
 - c. Support and maintain the known 215 farm parcels in the township classified as agricultural and are actively farming.
 - d. Promote the use of buffering techniques via open space development, greenways, and similar planning tools to protect farming from residential infringements.
 - e. Promote strong feedlot practices and setbacks and the encouragement of best management practices within the farming community.
 - f. Identify an agricultural land use district that will require minimum roads with no residential unless there are ten (10) acres and has agricultural productive use.
2. Residential: Preserve and expand the existing residential character and patterns while ensuring orderly development that will not spoil the amenities of scenery and open spaces. This can be done by the following:
 - a. Encourage diversified and different life cycle housing that maximizes the use of the existing infrastructure such as roads and other public services.

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- b. Allow the use of conservation based design models as well as a modified lot and block layout to provide for different densities and opportunities of housing in the residential areas.
- c. Adopt and implement a building code in the future to protect the housing stock and keep it vibrant and in good shape. Coordinate with neighboring townships for a building inspector.
- d. Develop and encourage parks and trails and character amenities in housing developments so that residents in the development can enjoy the area and not have to travel to go to parks and trails.
- e. Use the township's website and newsletter to inform the community about permitting practices, where to get them, and place signs around the township which will identify any permits required for construction.
- f. Review the parks and trails system in the township to see how they can interconnect neighborhoods together.
- g. Provide the Baldwin residents information regarding protection of their wells and wastewater treatment systems.
- h. Consider the creation of a work model to understand land use issues, transportation systems, the impact of existing neighborhoods to each other, and the services required with new developments while still providing logical land use patterns and policies making Baldwin Township a place to seek out and live.

ECONOMIC DEVELOPMENT GOALS

Goals / Objectives (Action Plans)

GOAL 2: Assist in the economic growth of the current businesses in Baldwin Township by developing strategies inclusive of retention, expansion and improvement of the area.

1. Commercial: Encourage a sound and diverse business economy that not only meets the employer's business needs, but also the communities' needs. This can be done by the following:
 - a. Initiate a monthly conversation group with local businesses to improve communications and to listen to their concerns.
 - b. Review the current airport zoning ordinance. Identify and encourage the land uses that best fit that zone such as wastewater treatment ponds, certain agriculture uses, cemeteries, golf courses, etc.
 - c. Through a capital improvement plan, develop the necessary infrastructure and regulations required to promote and support businesses. This is inclusive

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- of the following needed by business: water/wastewater, paved streets, lighting, high speed internet, social media, signage uniformity, green spaces and stormwater and drainage concerns. Use education and information to encourage better business practices.
- d. Review buffering where needed to protect commercial uses from neighboring residential uses.
 - e. Consider the idea of an incubator business site to help existing home based businesses that might want to consider becoming larger businesses. Use this model to retain their business in Baldwin Township.
 - f. Deliberate on the town square concept and begin to possibly identify the uses that the local neighborhoods and community may want.

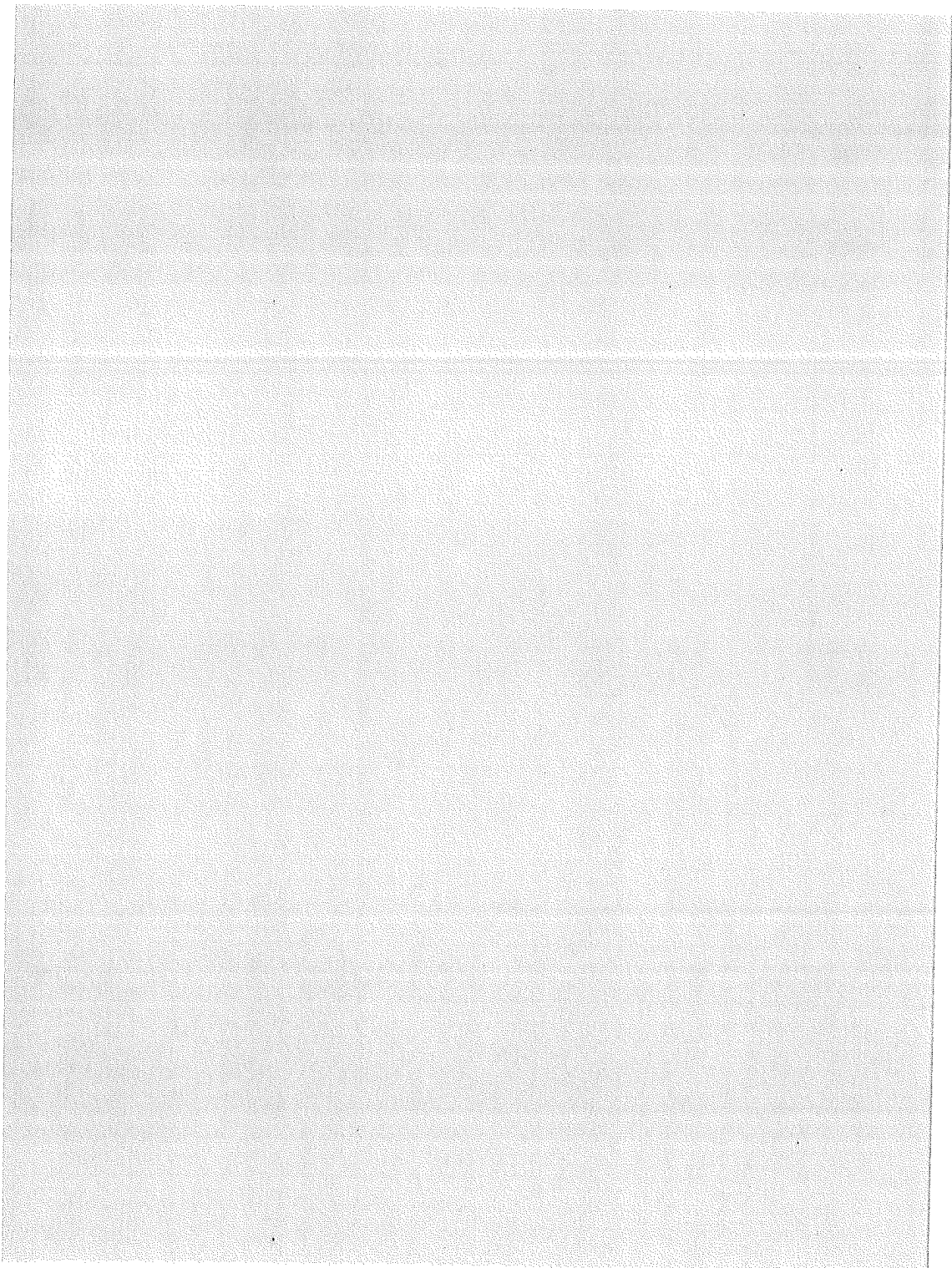
2. Industrial: Provide industrial users with the necessary infrastructure. This could be done by the following:

- a. Develop a conversation with the industrial users in the Township to understand their needs. Build up a rapport and make this part of a quarterly work meeting.
- b. Consider the development of an industrial park to keep like businesses together. This could help provide and support a positive business climate to attract a larger business community to relocate to Baldwin Township.
- c. Review the potential business areas wherein industrial use might work and consider an industrial classification for future use. Allow complementary industrial uses near commercial or agricultural related areas with sound service roads that present minimal traffic issues.
- d. Consider regulations to reduce any nitrate/nitrogen level concerns in the industrial area by the use of known and established practices and equipment. Review the concentration of industrial uses and consider the impacts on the area. Where necessary consider different setbacks, based on engineering data, for the location of new industrial businesses.
- e. Work with the local businesses to implement with the University of Minnesota Extension the Business Retention and Expansion program.

Sources and Excerpts courtesy of Ms. Peggy Patten and Mr. Ross Perry, Commissioners P.C. Materials are on file.

LAND USES

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- ⁱ 11/04.13. Sherburne County, Property Tax System. Property Tax Analysis.
 - ⁱⁱ www.agcensus.usda.gov. 2007 Census of Agriculture. County Profile for Sherburne County
 - ⁱⁱⁱ Ibid
 - ^{iv} Ibid
 - ^v 2012. Sherburne County. Agricultural Parcels in Baldwin Township
 - ^{vi} December 10, 2012. Draft Feedlot Ordinance
 - ^{vii} Sherburne County Feedlot Map. Sherburne County GIS Department. Courtesy of Commissioner Peggy Patten
 - ^{viii} Sherburne County Soils Map (Baldwin Township). Sherburne County GIS Department



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SENSITIVE SHORELANDS AND FLOODPLAINS CRITICAL HABITATS AND WETLANDS

SHORELANDS/ FLOODPLAINS

Sherburne County defines shorelands as: "Shoreland" means land located within the following distances from public water: 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and 300 feet from a river or stream, or the landward extent of a flood plain designated by ordinance on a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the commissioner.¹

Shorelands are around the lakes, streams and rivers in Baldwin Township. These are the surface waters within the township and the county. The goal is to regulate the use and development of the shorelands of those public waters. The delegation of authority goes to the state and is passed down to Sherburne County. Their goals are to regulate the subdivision, use and development of the shores of all of these public waters and to preserve, protect and enhance the quality of the surface waters. By doing this, they can protect and keep the economic and natural environmental standards and values of shorelands while also providing for their use and enjoyment of these public waters and their related land uses for residents.

Baldwin Township has a map showing the following features related to land use: the shoreland classification in the township, each wetlands classification, the regulated setbacks for surface water, and the floodplain areas within Baldwin Township which are normally in their present state, but also could flood due to a 100 year event. This map is on file at the town offices in the planning and zoning files.

Sherburne County has a portion of their Sherburne County Zoning Ordinance called *Section 14 – Shoreland District* in which it spells out the following items:

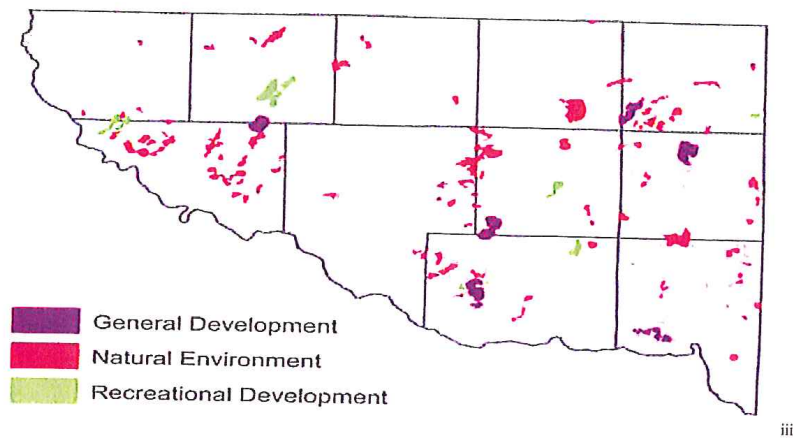
- Statutory Authorization and Policy
- General Provision and Definitions
- Administration

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- Shoreland Classification System and Land Use Districts
- Dimensions, Design and Utilities
- Nonconformities
- Subdivision/Platting Provisions
- Planned Unit Development (PUD's)

These rules and regulations are used in what is called a Shoreland Overlay Zoning District which are rules that are laid over the existing land use district and its regulations. The more restrictive rules normally apply. This section of the Sherburne County Zoning Ordinance was amended in February 2000. A copy can be reviewed by going on line to www.co.sherburne.mn.us.gov. Landowners requesting land use and building permits within the shoreland areas of the township and county will need to be aware of the shoreland rules and regulations.ⁱⁱ

If you look at the map below, you will see that most of the township's lakes and streams fall into the natural environment designation with some general development lakes to the west of the township.



General Development Lakes (1 lake in the township) exceed 15' in depth, are large enough to show the highest resilience to water quality degradation, and have more than 25 homes per mile of shoreline.

Recreational Development Lakes (1 lake in the township) exceed 15' in depth, and exhibit moderate resilience to degradation.

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Natural Environment Lakes (10 lakes in the township) are small and shallow, with few lakeshore homes.

CRITICAL HABITATS

With the beauty and pristine nature of the lakes and streams in the township, the flip side to this usually means a somewhat sensitive environment and therefore a community needs to find a balance to the land use that comes with it. Some of the most natural and valuable resources in the township are their lakes, streams and wetlands which are where critical habitat can thrive and survive. Protections of these natural habitats provide residents and visitors to the area with an abundance of animals, flowers and plants. Once destroyed, the plants and animals may never return.



The Sherburne County Comprehensive Land Use Plan 2010-2030 identifies some of the critical habitat in Baldwin Township. The map called the *Biodiverse and Regional Significant Plant Communities in Sherburne County* (dated 22.February.2005) shows some areas in Baldwin Township that are generally moderate in terms of the variety of plant communities. These areas are generally seen around water, Rum River and Sherburne County Wildlife Refuge, and in most cases are presently being protected. A copy of this map is available in Appendix D.^{iv}

WETLANDS

Wetlands are a concern when development threatens an area's physical environment. Despite their benefits, wetlands have too often been considered a nuisance and have been drained for agriculture and residential development. Historically, government policies have encouraged draining and filling of wetlands. Out of Minnesota's 55 million acres, 10 million were originally comprised of wetlands. Half of that amount has been lost due to drainage.

Their most recognizable features such as cattails, lily pads, wildlife such as ducks and geese usually identify wetlands; however, there are wetlands that have less recognizable features. Two indicators for wetlands are: 1) hydric soils; during the growing season the soil is saturated long enough to take on hydric conditions, and 2) the ability to support vegetation adapted to saturated soil conditions. Wetlands areas have many direct benefits to the community. They serve to protect water quality by filtering contaminants, help with flood control by absorbing run off, during droughts they help maintain rivers and streams by releasing water and provide a wildlife habitat.^v

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Wetlands classifications are shown and located as general areas in the Baldwin Township's wetlands mapping (on file at town offices). They must be delineated further when a property owner purposes a use. There are eight types of wetlands: 1) flooded basins or floodplains, 2) inland fresh meadows, 3) inland shallow fresh marshes, 4) inland deep fresh marshes, 5) inland open fresh water wetlands, 6) shrub swamps, 7) forested swamps, and 8) bogs. A copy of *Wetlands in Minnesota* (based on the Circular 39 system) is available at the town hall. The circular explains the importance of the different types of wetland described and their role in providing great benefits to the area.



Examples of great places where wetlands exist and are protected are the Sherburne County Wildlife Refuge, the Rum River Wild and Scenic Waterway and the Vietnam Memorial Wildlife Management Area.^{vi}

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SHORELAND, CRITICAL HABITAT AND WETLANDS

Goals/Objectives (Action Plans)

Shoreland

Goal No. 1: Support and educate township residents about the benefits of proper shoreland practices and the results of poor practices.

1. Implement a Natural Resources Inventory and Analysis for the township using the Natural Resource Guidance Checklist from the Department of Natural Resources (DNR).
2. Use the inventory to identify property best management practices to implement and use.
3. Use different media methods for dispersing materials to the community regarding protections of their shoreland.
4. Advertise workshops provided by different groups, such as Sherburne County, Department of Natural Resources and Board of Soil and Water for shoreland repairs and maintenance so landowners can become informed.
5. Work with Sherburne County to develop property around the lakes with low or minimum natural resource impacts through rules, education and workshops.

Goal No. 2: Reduce pollutant levels to the lakes and streams. To be aware of the stormwater impacts from residential and urban development, especially on smaller, shallower lakes that will have more impacts.

1. Implement land use practices that reduce nutrient loading to surface water resources.
2. Educate landowners on the importance of shoreland buffers in order to protect the lake environment. This can also be done through pairing up with the local lake associations groups.
3. Work with landowners and citizens to secure local grant and low interest loan financing for shoreland repairs and restoration.
4. Support and advertise in the township media when shoreland training is available so that the community has an opportunity to be educated on the protection of their lakes and streams.

Critical Habitat

Goal No. 1: Critical habitats are usually associated with wetlands and natural resources and go hand in hand to make the environment unique and special. These natural areas need to be protected, yet be available for the public to see and understand while keeping it safe.

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1. Identify critical habitat areas in a protected registry, and develop land practices to preserve them.
2. When development comes into an area, a prepared natural resource inventory will help the landowners and governmental permitting agencies to protect the area.
3. Support local lake and landowner associations regarding the preservation and care of their shoreline, re-vegetation and shoreland repair practices and what permitting is required.
4. Since a portion of the Rum River Scenic and Recreational Waterway is located in the Township, work with local authorities to understand the area and help residents to protect this vital resource.

Wetlands

Goal No. 1: Wetlands play a very important role in the environment such as vegetation that prevents erosion around lakes, and with neighboring streams, they help to reduce wave action. Among other things, they also act as filters and natural storage areas during flooding periods. Wetlands and their various types should be maintained and preserved. The township should work to prevent their destruction.

1. Promote wetland delineation in areas where it has been identified that there are sensitive environments. Work with Sherburne County on wetlands delineation in order to understand the process.
2. Use education, and distribute through different media, the necessary materials for landowners and contractors to understand the benefits of wetlands and the need for correct permitting when working nearby them.
3. Working with DNR and Sherburne County, do a resource inventory to determine the types of wetlands and species specific to Baldwin Township and work labor towards protection of them through setbacks and proper land controls.
4. Identify land practices that will be beneficial for wetland protections.

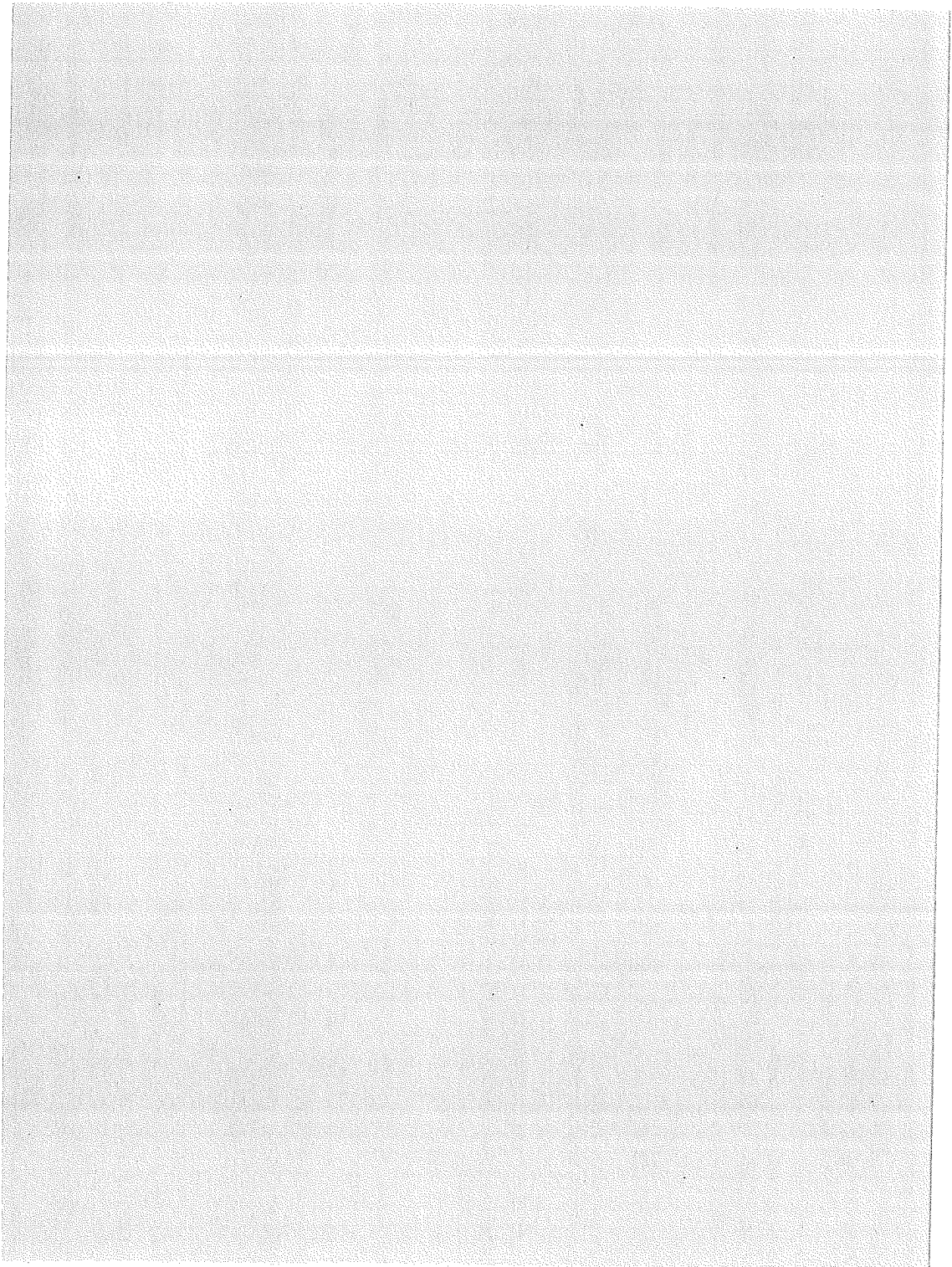
Sources and Excerpts from Ms. Peggy Patten, Planning Commissioner

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- ⁱ Section 14. Shoreland District. Sherburne County Zoning Ordinance. Amended February 2000
 - ⁱⁱ Ibid.
 - ⁱⁱⁱ Shoreland lake designations. Sherburne County Zoning Ordinance. February 2000
 - ^{iv} Map *Biodiverse and Regional Significant Plant Communities in Sherburne County*. 22. February. 2005

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- ^v Wetlands Brochure. *Wetlands in Minnesota*. Minnesota board of Water and Soil Resources.
One West Water Street, Suite 200 St. Paul, MN 55107

^{vi} Ibid



PARKS, TRAILS AND RECREATION



PARKS, TRAILS AND RECREATION

BALDWIN TOWNSHIP has very distinctive and special natural resource areas within the township. Parks, trails and recreational spaces are an integral part of a community and provide places for residents to enjoy the beauty of the area, find peace and healthy activities to de-stress their busy lives and to go to for educational and learning possibilities. Parks are often the center of a community's beauty and social gatherings, and most often are used for other multiple purposes.

Examples are family reunions, weddings, summer concerts, contests, and theatre. They also give a sense of belonging to a community and townships often have a variety of things going on such as community picnics, art in the park, weddings and car shows.

Baldwin Township has the exceptional distinction of having federal, state, county, regional and local parks and spaces in their township for all types of uses. These irreplaceable areas are recognized below and should be treated as special treasures for protection and care.

FEDERAL PARKS AND PROGRAMS

Sherburne National Wildlife Refuge

The Sherburne National Wildlife Refuge, under the auspices of the U.S. Fish & Wildlife Services, was established on May 18th, 1965 by the Migratory Bird Conservation Commission who authorized the purchase of the area with federal Migratory Bird Hunting Stamp funds. Its mission is to restore the wildlife of the St. Francis River Valley. This 30,700 acre refuge now encompasses oak savanna, wetland, and big woods habitats which are home to a large array of wildlife. This refuge is an important flyway for migratory stopover for many birds and a

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PARKS, TRAILS AND RECREATION

breeding ground for many others. Over 200 species of birds, 50 mammals, 30 types of fish, 20 reptiles and amphibians, and thousands of insects and other invertebrates can be found within the refuge. While there are some closed areas in the refuge, most of the refuge has roads, trails, canoe launches, fishing accesses, an old school house, picnic areas, and campgrounds for the public to view and use. Mushroom and berry picking are permitted for personal consumption within one-hundred feet (100 feet) of trails or public right of ways. While there is only a very small portion of the refuge which is located in the southwest corner of the township, the refuge is a treasured resource for all of the regions' residents.ⁱ

Public use is permitted during the daylight hours, but camping, overnight parking, and campfires are not permitted. Horses, dog sled, skijoring, snowmobiles, trail bikes, and all other off-road vehicles are also not permitted in the refuge. Dogs and pets must be kept on a leash at all times. Firearms and bows are not permitted in *Closed Areas* and *No Hunting Zones*. Target shooting is also not permitted.



Educational programs are available for organized groups and the public to learn about the refuge. The refuge offers a wide variety of volunteer opportunities and their offices have an application form should you have interest.

The Friends of Sherburne National Wildlife Refuge are a non-profit group to give assistance and support for refuge projects and educational programs. They provide a quarterly newsletter, work on special events in the refuge such as wildlife festivals and films, spring clean-up, bird counts and activities to raise awareness, create environmental awareness and financial backing for programs and projects in the refuge. For more information on their activities or on becoming a member, check their website at: <http://www.exploressherburne.org> or call the refuge offices during office hours. Materials regarding the refuge are on file at the town hall office (planning & zoning files).ⁱⁱ

STATE PARKS AND PROGRAMS

Rum River Wild and Scenic River Program

These river segments are located in the northeast portion of the township and are part of the boundary line between the township and city of Princeton. The Rum River, which was added to Minnesota's Wild and Scenic Rivers Program in 1978 is located in the Rum River Watershed. The Rum River Watershed covers 997,060 acres in east-central Minnesota. The headwaters for the Rum begin at Mille Lacs Lake and the river flows 145 miles to its confluence with the Mississippi River at Anoka. The major lakes which are a part of the watershed are Mille Lacs, Onamia, and Borden with the major rivers and streams contributing are the Rum, Bogus Brook and Mike Drew Brook.ⁱⁱⁱ The Rum River itself has the designation of all of the three



PARKS, TRAILS AND RECREATION

characteristics; wild, scenic and recreational. Wild designations are those sections of the river that exist in a free-flowing state with excellent water quality and with adjacent lands that are essentially primitive. Wild river sections are not usually paralleled by conspicuous and well-traveled road or railroads.

Scenic designations of the rivers are portions that exist in a free-flowing state with adjacent lands that are largely undeveloped (i.e., adjacent lands still present an overall natural character, but in places they may have been developed for agricultural, residential, or other land uses. The final classification is the recreational river segments that may have undergone some impoundment (confined within or by an enclosure) or diversion in the past. Recreational river segments may also have adjacent lands which are considerably developed, but they are still capable of being managed. This means that bordering lands may have already been developed for a full range of agricultural or other land uses, and may also be readily accessible by pre-existing roads or rail beds. The original management plan for this stretch of the Rum River was adopted in 1978 by the MN Pollution Control Agency.

Since 2007, the Minnesota Pollution Control Agency and its partners have begun implementing a ten (10) year rotation for watersheds to do watershed restoration plans to address Minnesota's waters at the major watershed level. At this time, certain segments have been completed for monitoring and some of the lake segments have had lake monitoring and assessments. Currently, the Mille Lacs Lake Watershed Management program is in progress. The upper river valley of this river has one of the highest concentrations of prehistoric sites in Minnesota.^{iv}

Vietnam Veterans Wildlife Management Area

Wildlife Management Areas (WMAs) are part of Minnesota's outdoor recreation system and are established to protect those lands and waters that have a high potential for wildlife production, public hunting, trapping, fishing, and other compatible recreational uses. The Minnesota WMA system was established in 1951, when Minnesota began its "Save the Wetlands" program to buy wetlands and other habitats from willing sellers to address the alarming loss of wildlife habitat in the state. Initiated by a handful of visionary wildlife managers, the WMA program evolved into the present-day system of WMAs. Today there are over 1.29 million acres of high quality habitat in 1,440 WMAs located throughout the state, making it one of the best and largest WMA systems in the country.

The Vietnam Veterans WMA is 66 acres and is located in Section 21 of Baldwin Township. It is composed of hardwood forest, lowland brush lands, and cattail dominated wetlands. The diverse mix of habitat communities provides a haven for a diverse number of wildlife species. There are good opportunities for hunting, trapping, wildlife viewing, and hiking. This WMA honors those individuals who served in the Vietnam War. It is a special place for personal reflection and also a good place to introduce youth to the outdoors. The objectives of this area will be to manage it as a nesting and brood-rearing area for grassland dependent species with an emphasis on



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pheasant and dabbling duck production. All wetland areas will be managed for breeding and migrating wetland-dependent birds and furbearers as well as for winter cover for resident species. Finally the wooded and shrub components of this WMA unit will be managed to provide winter cover, nesting sites and food for dependent species such as deer, turkey, squirrels and songbirds. Since this WMA unit is adjacent to MN Highway 169, contamination via vehicle traffic has often facilitated new infestations into the wetland areas such as the invasive species known as purple loosestrife. Efforts to maintain and enhance site diversity within the habitat types will remain as a management goal for this WMA unit. The public is encouraged to use this diverse area for the numerous identified uses above as well as for contemplative and quiet efforts and enjoyment.^v

REGIONAL AND COUNTY PARKS AND TRAILS

Sherburne County recently completed their Comprehensive Plan in 2011. They also have a *Sherburne County Parks, Trails, and Open Space Policy Plan*, adopted in June, 2005 (available online). Listed in this document are a compilation of the public parks, trails and an open space inventory, including what is located in Baldwin Township. Listed for the Township are Goose Lake Park which was recently given to Baldwin Township by the County (to be discussed below under local), the Vietnam Veterans Memorial WMA discussed above, Baldwin Township Young Park (to be discussed), and the Little Elk Lake Park. County parklands are acquired for the purpose of public recreation, education, or open space preservation.

The qualifications for any regional county park must be a minimum of one-hundred acres (100 acres) in size and preferably two-hundred acres (200 acres) or more, sustainable, provided with a high quality wildlife habitat, and features opportunities for natural resources based on recreation. There are exceptions for the above criteria when unique spaces are available and need protection.

Primary funding for the county's acquisition of park land and facilities is through a Sherburne County Park Dedication Fee Ordinance pursuant to MN Statute § 394.25, subdivision 7. As of 2010, Sherburne County's Park Dedication was \$800/new residential lot. Other funding has been provided through a property tax levy system which generates about \$70,000 per year. Besides Goose Lake Park, Sherburne also has two other regional areas for the public located in Big Lake and Becker Township.

The county is presently pursuing land and easement acquisition from private landowners for a regional trail between Elk River and Princeton, known as The *Great Northern Trail*, named after The Great Northern Railroad. About ¾ of the land needed has already been acquired by the county, cities, and townships. The trail route follows an abandoned railroad bed, with some segments planned along county roads, and an existing township trail. This trail will be paved once fully acquired. Baldwin Township's portion parallels along State Highway 169 and a copy of the map is on file at the Township



PARKS, TRAILS AND RECREATION

offices. Two small portions in the township are still privately owned and need to be acquired. This will add to the township's parks and trails system in the future. It offers an opportunity for Baldwin Township residents and others to travel safely and enjoy the area when biking and hiking along the trail.^{vi}

LOCAL TOWNSHIP TRAILS AND PARKS

Rum River Recreation and Resources Board – 4R Board

Discussions began in 2006 for a need to have a regional planning entity for parks, trails and open spaces. The 4R Board was inspired by a grass-roots, citizen led initiative. The vision was to encourage and provide an extensive network of appropriately maintained parks, interconnected non-motorized trails, and protected open spaces for betterment of recreation for residents and visitors as well as natural resource components. In February 2011, the 4R Board adopted the *Regional Trail and Open Space Corridor Plan*. One of the participants and strong supporters of this 4R Board is Baldwin Township. A preliminary Regional Trails and Open Space Corridor Map is available to show the future projects and implementation of the plan. Biking, hiking and walking trail connections as well as the Great Northern Trail program are included. Parks and open spaces are also part of the implementation plans. A copy of the *Regional Trail and Open Space Corridor Plan* is available at the town offices (Planning & Zoning files).^{vii}

Baldwin Township has two township representatives and one layperson that attend the monthly meetings. One is a town board supervisor and the other is a planning commissioner. Both serve similar roles; the supervisor deals with updating the town board and helps to make management decisions while the planning commissioner works with the planning commission and helps to coordinate the park plans and working relationships with others to implement projects with efficiency and no duplication of efforts.^{viii}

On November 1, 1999, Baldwin Township passed the *Resolution For The Establishment Of The Baldwin Township Park And Recreation Committee*. The primary duties of the commissioners are to advise the town board regarding the systematic, comprehensive and effective development of parklands, park facilities, and recreational programs necessary for the physical, mental, and emotional health and welfare of the Baldwin Township residents. The committee membership consists of five (5) members and one (1) non-voting town board member, all of whom are citizens of Baldwin. This resolution has been amended twice since the original document (dates are December 6, 1999 and April 9, 2001).

PARKS, TRAILS AND RECREATION

Young Park

Young Park was acquired from Kermit and Margritte Young in January, 2005. It is eighty (80) acres in size and is located in Section 22. On the 7th of February, 2006, Baldwin Township passed a Resolution to request that the county rename the lake in the park to honor Ms. Margritte Young to Margritte Lake. An oral history of the background on Young Park can be found on the Baldwin Township website.^{ix}

The annual Funfest program has been held at the Park to highlight the area and its activities. Hiking and trails are available and are in the process of being completed and a rain garden were planted in June 2012 as a cooperative effort between Baldwin Township, the residents of Baldwin and the Sherburne Soil and Water Conservation District. A sign has recently been purchased and will be installed at the park this next year.

Goose Lake Park

In 2012, the county park was donated to Baldwin Township. It is 37 acres and will be used as an open space with limited park/trail use. This park is located in section 29 on the northeast side of Goose Lake. The township is in the process of developing a park plan for the new park including trails and open spaces.



Baldwin Township also has a park ordinance. It is called *AN ORDINANCE GOVERNING PARKS UNDER THE JURISDICTION OF THE BALDWIN TOWN BOARD*. It deals with regulations of general conduct, protections of the natural resources and wildlife in the parks and the regulation of recreational activities that are allowed within the township's parks, including vehicles and hours of operation. There are sections dealing with enforcement and penalties for violations. This ordinance was originally adopted on the 9th of January, 2007 and recently updated in April of 2012.^x

Baldwin Township has many small pieces of trails and possibly other areas for future parks. The township will continue to develop these areas as time and money permits and maintain them through volunteers and their public works department. All of these efforts will help to develop a sense of community and vitality in the future, will help sustain the environment, and provide a balance between work and play as residents live out their lives.^{xi}

Other Parks

PARKS, TRAILS AND RECREATION

It was discovered recently, through doing research, that the Plat of Lake Diann Acres in Section 32, which was platted in 1955, has land allocated to two possible park sites. One is called *Dorothea Park* which is to be a playground and the other is *Loren Park*. Both sites have a road around them called Leah Drive. It is unknown at this time if they are even in use. It presently appears that these two parks are possibly privately owned by the landowners in the Plat. The Township park committee can review this in the future to see if there is value in the development of the sites for the area residents. This could be done through park dedication funds.

Deer Trail Addition

It is understood by Baldwin Township that these are walking and biking paths throughout this Addition which is located in Section 21 near MN State Highway 169 and that these paths will someday be part of the Great Northern Regional Trail from Princeton down to Zimmerman.



PARKS, TRAILS AND RECREATION

PARKS, TRAILS AND RECREATION

Goals / Objectives (Action Plans)

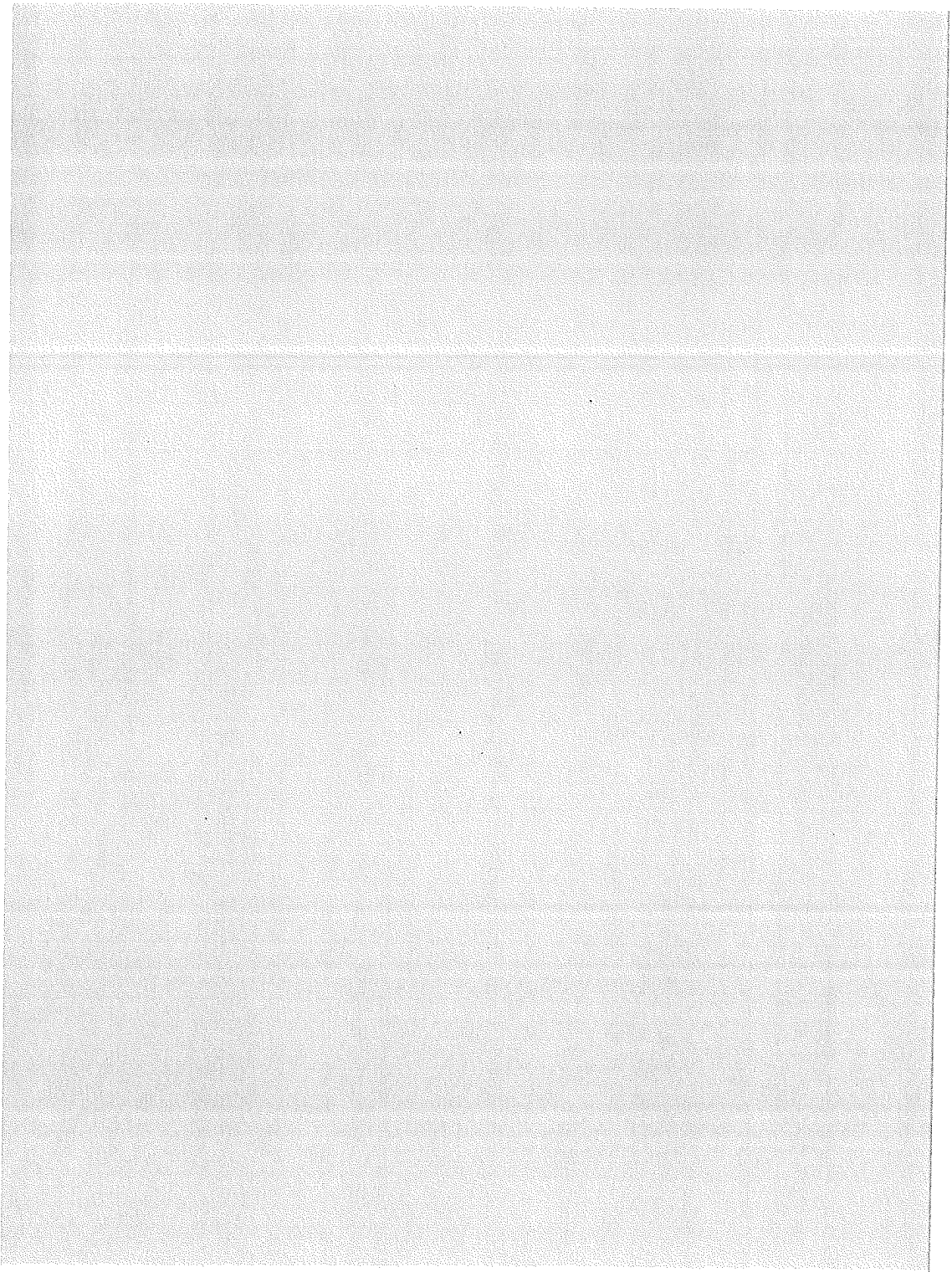
Goal 1: Develop and sustain a series of connected trails in the Baldwin Township community for the enjoyment and benefit of everyone in the area. This will give the community and its families a path to good health, community friendship and pride.

1. Identify and clarify the status of all trails and parks within the township system.
2. Develop a unified park and trails plan that will show the inventory, future connections and management of the parks and trail system and how they can interconnect for the whole system to be available to the community.
3. Create a future and realistic capital improvement plan which details the cost for construction (through dedicated funds) and how to fund the ongoing operations and management of the parks and trail system.
4. Coordinate with the 4R Board and Sherburne County to provide a unified regional parks and trail system for the community to encourage good health and wellbeing.
5. Increase the informational stream with additional brochures and online social media to encourage the use of the parks and trails system.
6. Consider an annual bike trail ride to bring awareness and publicity to the trail system. Prepare bike trail guides for use to area trails and parks and highlight their assets.
7. Work with local groups such as Lions, Jaycees, and others to promote and support the local community parks by offering summer events in the parks. Work towards building of pavilions, equipment and other items to bring families into the area to use the parks.
8. Using the township website, link information regarding recreational opportunities in the community and surrounding areas as well as any parks and trail events that are happening.
9. When a potential opportunity exists in a new subdivision for a trail connection, request that the developer purchase the needed easements and dedicate them.

PARKS, TRAILS AND RECREATION

Excerpts and Sources provided courtesy of Mr. Terry Carlile, Planning Commissioner

- ⁱ Brochure. U.S. Fish & Wildlife Service. Sherburne National wildlife Refuge.
- ⁱⁱ Brochure. Friends of Sherburne National Wildlife Refuge
- ⁱⁱⁱ www.baldwintownship.govoffice.com. The Rum River
- ^{iv} http://www.dnr.state.mn.us/waters/wastermgmt_section/wild_scenic/wsrivers/classification.html Wild & Scenic Rum River. Map and materials by Minnesota Department of Natural Resources- Division of Waters.2008 DNR Data 04.18.2013.
- ^v [www.dnr.state.mn.us.wmas/description](http://www.dnr.state.mn.us/wmas/description). Wildlife Management Areas. Vietnam Veterans Memorial WMA
- ^{vi} Chapter 7. Parks & Recreation. Sherburne County. County Comprehensive Land Use Plan
- ^{vii} Brochure. Rum River Recreation & Resources Board
- ^{viii} Rum River Recreation and Resources Board. *Regional Trail And Open Space Corridor Plan*. Adopted February 2011
- ^{ix} 07. February.2006. Resolution. Baldwin Township. Young Park
- ^x 09. January.2007, amended 2012. *An Ordinance Governing Parks Under the Jurisdiction of the Baldwin Town Board*. Baldwin Township
- ^{xi} www.baldwintownship.govoffice.com. Oral History of Baldwin Park



TRANSPORTATION



BALDWIN TOWNSHIP is located in Sherburne County which is a short commute to the communities of Zimmerman, Elk River and the Minneapolis and St. Paul area. During the time between 1990 and the early 2000 decade, Baldwin Township had extraordinary growth and an increase in road infrastructure. Over those ten years, the township experienced an increase in road mileage from 58.7 miles to 75.3 paved miles. In 2012, the township certified the current mileages as 78.58 miles in the township to Sherburne County. The Public Works Department in the township has a map showing the 2011 road mileage and what roads are covered to confirm the total mileage and the breakdown of each road. Only Big Lake Township in Stearns County has more roads than Baldwin Township.

Sherburne County has an online map showing Baldwin Township's road orders (TROs). This is a map showing the locations and indexing numbers involved. Individual "TROs" are kept at the county in boxes. TROs were prepared only during the late 1800s and early 1900s and they have basically been neglected since then. In the early 1970s many townships went through a process to identify widths, legally describe the roads in their township and to record those documents. Baldwin Township actually recorded their roads and a copy of this map is on record at the Sherburne County Recorder's Office. A copy of the TROs for Baldwin Township is on file at the town offices (planning and zoning files). A very important case in Cass County that went to the Supreme Court found that the recording process was flawed if there had been no compensation for taking the property for the road. Therefore, the road recordings done at that time would need to be refiled in the future. At any rate, it gives townships a starting point and then engineers can resurvey and complete the process in the future.

TRANSPORTATION

Present Road System / Standards

There are two maps for viewing Baldwin Township's road transportation system; one is the transportation map showing the whole road system in the Township while the other is the Baldwin Township Estimated Road Conditions dated 12.06.2011. Both maps are on file at the town hall offices. The township road map is included at the end of this section.

In January of 2003, the Baldwin Township Board of Supervisors developed and began to implement a twenty year Road Plan for the 77 miles of road within the township. They identified what their costs would be and what projects to prioritize for improvements.

On January of 2009, Baldwin Township employed the firm of Bogart, Pederson and Associates to review and update the prior plan and to develop road standards for the township as well as maintenance schedules to keep the roads in optimum shape within the township. The board identified the township's policy on roads, budget models, and a five year capital improvement plan. In 2004, the township converted to the GASB 34 financial system which has the township capitalize their road assets and to begin to identify their historical costs. Now the township inventories and assesses the condition of their roadways with a ranking system, decides on a minimum level of acceptability for that road, estimates the amount of repairs needed to maintain and renew the roadways and then determines their target for each years' improvements. The levy, which is annually set at the town meeting of the residents, is proposed for each year to be collected and used the next year for the maintenance and improvements. This plan was revised on May 7, 2012 and a set of engineering standards was attached to the plan on June 4, 2012.

The engineering and road standards identify and show road section profiles and construction standards for the town's roads, driveways, drainage profiles and standards, utility construction and standards, and plans for landowners that wish to develop their properties. It has the plates for review and defines and identifies what is arterial, collector, commercial and minor roadways within the township. It further discusses trails attached to roads, right of way widths, signage and mailbox standards. Finally, erosion control and construction practices are also described in the document. While the township does not have any aggregate resources within the township that they use, the travel time from the neighboring township is so small that the economies of having a pit and all of the equipment to crush and trucks to hauls are made up by the short distance. The Township has one shared road agreement with Livonia Township on file. It is unknown at this time if there are others that should be considered and updated.

TRANSPORTATION

Budgets

The Baldwin Township budget for the past three years for Road and Bridge are as follows;

<u>Budget / Levy and other Income</u>		<u>Expenses</u>	
2010	\$390,000.00	2010	\$390,000.00
2011	\$385,000.00	2011	\$383,500.00
2012	\$480,256.00	2012	\$482,256.00

The budget and expense breakout for the past years show that the road repairs, salt and sanding and signs for road work has increased dramatically while salaries and wages have declined. Presently, there are two public works staff which increases to include temporary seasonal staff during the winter months. Since the staff are employees of the town including the Clerk/Treasurer and Deputy Clerk, the township has an employee handbook with job descriptions, maintenance worksheets, and they all work under OSHA safety procedures.

The Sherburne County Sheriff's Office provides law enforcement services to Baldwin Township. An annual report for 2011 shows that total calls for service/arrests have declined since 2009 with theft, burglary, driving under the influence of alcohol, and criminal damage to property being the primary concerns to the area.


Ordinances and Policies

Baldwin Township has two important documents; one is *Ordinance No. 100 An Ordinance Regulating Town Road Rights-Of-Way and Ordinance No. 500 An Ordinance Amending Ordinance No. 100 Related to Use of Rights-of-Way by Utility Providers* and the other is a *Snow Plowing and Sanding Policy*.

Ordinance No. 100 & No. 500 regarding utilities in Baldwin Township's Road Rights-of-Way deals with what is allowed and not allowed in order to protect the traveling public. The rights of way for townships are very important in that they provide for sightline requirements for safety, regulatory signage for the traveling public, snow storage in the winter, accident relief if necessary to protect people, and to reduce obstructions that could be deadly to parties traveling in the ditched areas. The ordinance sets forth the rules and regulations for the right of way, mailbox standards and other receptacles, standards for headwalls and approaches, culverts and drainage, and parking.

TRANSPORTATION

Ordinance No. 500 (revisions to Ordinance 100) more specifically deals with utility contractors and their use and construction within and under the township's rights of way. Finally, both ordinances provide the violation process and penalties for parties that do not follow the rules. Both of these ordinances follow the multiple statutory authorities that townships use to regulate their road transportation system and keep the motoring public's health, safety and welfare in the township protected.

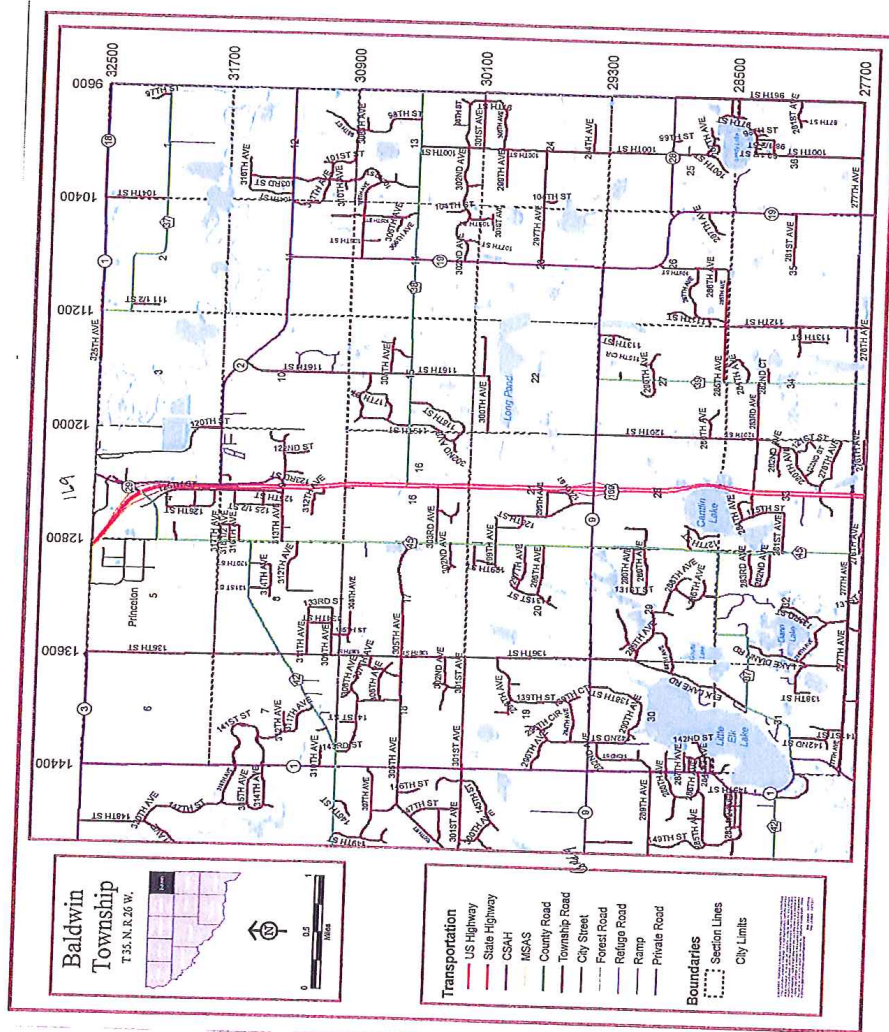
The last revisions with the *Snow Plow and Ice Control Policy* were on December 8, 2009. The township is divided into two main routes with MN State Highway 169 as the divider for the snow  plow trucks. Then the township roads are plowed with the priority roads, intersections, hills and curves first and the secondary roads, stop intersections and moderate volume intersections second. Finally, residential roads and intersections are completed. Salt/sand is applied during and after plowing operations as needed.

Residents are responsible to clear their own driveways, clear areas for trash receptacles, clear around mailboxes and newspaper delivery tubes. Residents must not deposit any snow into the street. The township does not plow private driveways, and mailboxes may not be placed on the township's streets. And residents need to be aware that while snow plow trucks try not to add to their driveways when plowing the township's roads, there will be times when a resident may have to clean the end of their driveway again.

Recently, townships have had to deal with the inventory, repair and maintenance of their signs which are regulatory in nature and are used to inform the public of such things as the following: stop signs, railroad crossings and certain speeds signs. Baldwin Township has adopted a sign policy, per requirements of the federal programs, which is called *Baldwin Township Sign Reflectivity Replacement Policy* adopted by *Resolution No. 13-01* on the 7th day January, 2013.

Other Ordinances and policies are the following: *Ordinance No. 301 To Establish Emergency Address Identification* and a *Parking Ordinance No.2003-01(revised December 1, 2003)*. Copies of all of these Ordinances are on file at the town hall offices and each planning commissioner has a copy of the most current in their planning books.

TRANSPORTATION



Township Road Transportation System

TRANSPORTATION

TRANSPORTATION

Goals / Objectives (Action Plans)

Goal No. 1: Build a database and work sheets for the townships road transportation system in order to track the needs and develop budgets for the future.

1. Review the present road system materials and try to identify the key themes to use to build a database and a set of forms for the township public works staff to use when out on the roads.
2. Identify a capital improvement plan for ongoing maintenance of the system and to purchase geographic information system (GIS) location equipment for all signage and culverts to build an inventory.
3. Identify sensitive environments near roadways and implement designs to protect these areas from unwanted dirt and other debris from the roads.
4. Develop a second driveway application and update the Road and Access Ordinance.
5. Identify shared roads with neighboring entities and consider implementation of an agreement so everyone's responsibilities are understood.
6. Identify the widths of the existing township roads and the problems with the road in order to build into the budget or the capital improvement plan, a realistic amount of money to reconstruct and rebuild the road(s) in the future when they are identified to be repaved.
7. Put together a sign and culvert inventory that can be user friendly to show the types, purchases, ages, repair and replacements, etc.

Goal No. 2: Develop a future transportation plan with interconnected roads for the health, safety and welfare of the landowners of the community.

1. Implement a road corner on the website or in the newsletter to inform residents of pending construction or a contact to call for signs down, items in ditch, stones and rocks misplaced in the road right of way, etc.
2. Working with neighboring townships and the cities of Princeton and Zimmerman, update your shared road agreements on a two-three year basis. If construction is pending on the shared roads, a contact should be used.
3. Work with the business area to consider paving all of the road within the business community to a heavier tonnage to allow semi traffic to travel on the roads. Encourage the business community to give input into the process.
4. Road counters can be leased and/or purchased to identify the traffic counts for the roads in the township. This will help with prioritization of the roads and guide the budgets.

TRANSPORTATION

5. Activate a committee for Recycle Day. The committee would be charged to see how many items that they can get recycled and help motivate the community to recycle. Offer options and incentives to the residents to encourage these actions

Source and Excerpts for the Transportation Section courtesy of Mr. Terry Carlile, Planning Commissioner

1. Baldwin Township Capital Improvement Plan 2010-2015. Revised and approved with Engineering Standards and Plates on 06.04.2012.
2. Baldwin Township Snow Plowing and Ice Control Policy. Adopted on 12.08.2009.
3. Baldwin Township Ordinance No. 100. An Ordinance Regulating Town Road Rights-Of-Way adopted 09.15.2009 and Ordinance No. 500. An Ordinance Amending Ordinance No. 100 Related to Use of Rights-of-Way by Utility Providers revised and adopted on 11.07.2011.
4. Baldwin Township Resolution No. 13-01 Resolution Adopting Sign Retro-Reflectivity and Replacement Policy adopted on 01.07.2013.
5. Baldwin Township Parking Ordinance #2003-01. Revised December 1, 2003.
6. Baldwin Township 2011 Road Mileage Map. Includes specific road mileage breakdowns.
7. Baldwin Township Road Order Map. Website of Sherburne County. August 3, 2007.
8. Baldwin Township Estimated Road Conditions 2011. Map. Courtesy of Bogart, Pederson & Associates. 12.06.2011.
9. Baldwin Township Transportation Map. Website of Sherburne County. 06.27.2012.
10. Baldwin Township Budgetary Information. Courtesy of Public Works Department. 2012.



RESOLUTION NO. 2014 - _____

**RESOLUTION ACCEPTING RECOMMENDATION OF BALDWIN PLANNING COMMISSION AND ADOPTING
BALDWIN TOWNSHIP COMMUNITY COMPREHENSIVE PLAN**

WHEREAS, the Board of Supervisors of Baldwin Township has continued to see new growth and development within the Township over the past five-seven years; and

WHEREAS, the Township of Baldwin has begun to consider the issues and problems associated with said growth; and

WHEREAS, the Baldwin Township Board wishes to work with their residents and has discussed Planning to manage said growth within their Township boundaries; and

WHEREAS, the Township of Baldwin has statutory authority to do planning and zoning under Minnesota Statutes § 462; and

WHEREAS, the Baldwin Township Board of Supervisors established the Baldwin Township Planning Commission on the 7th day of March, 2011, under Ordinance 200 – An Ordinance Establishing A Planning Commission, to deal with the planning and growth issues in the Baldwin Township community, pursuant to M.S. § 462, and , and;

WHEREAS, the Baldwin Township Planning Commission has held the required statutory Hearing on the 9th day of July, 2014, at 7:00 p.m. at the Baldwin Town Hall located at _____, and;

WHEREAS, the Baldwin Township Planning Commission has reviewed all comments and made the necessary changes and recommends adoption of the Baldwin Township Comprehensive Community Plan to the Town Board;

NOW THEREFORE, BE IT RESOLVED by the Town Board of Supervisors of Baldwin Township, Sherburne County, Minnesota:

That the Baldwin Township Board of Supervisors does hereby accept the Baldwin Township Planning Commission's recommendation to adopt the Baldwin Township Community Comprehensive Plan which shall be effective and in force after adoption of this Resolution.



BE IT FURTHER RESOLVED by the Town Board of Supervisors of Baldwin Township, Sherburne County, Minnesota;

That the Baldwin Town Board of Supervisors instructs the Baldwin Planning Commission Secretary to do the following:

1. Make the necessary final copies of the Baldwin Township Community Comprehensive Plan and distribute them accordingly to the required governmental entities.
2. That a final formal copy be placed on file with the Baldwin Township Clerk/Treasurer and another formal copy be placed with the Baldwin Planning Commission Secretary.

The motion for the adoption of the foregoing resolution was made by Supervisor _____, seconded by Supervisor _____ and upon a vote being taken thereon was duly passed.

AYES:

NAYS:

ABSTAINED:

ABSENT:

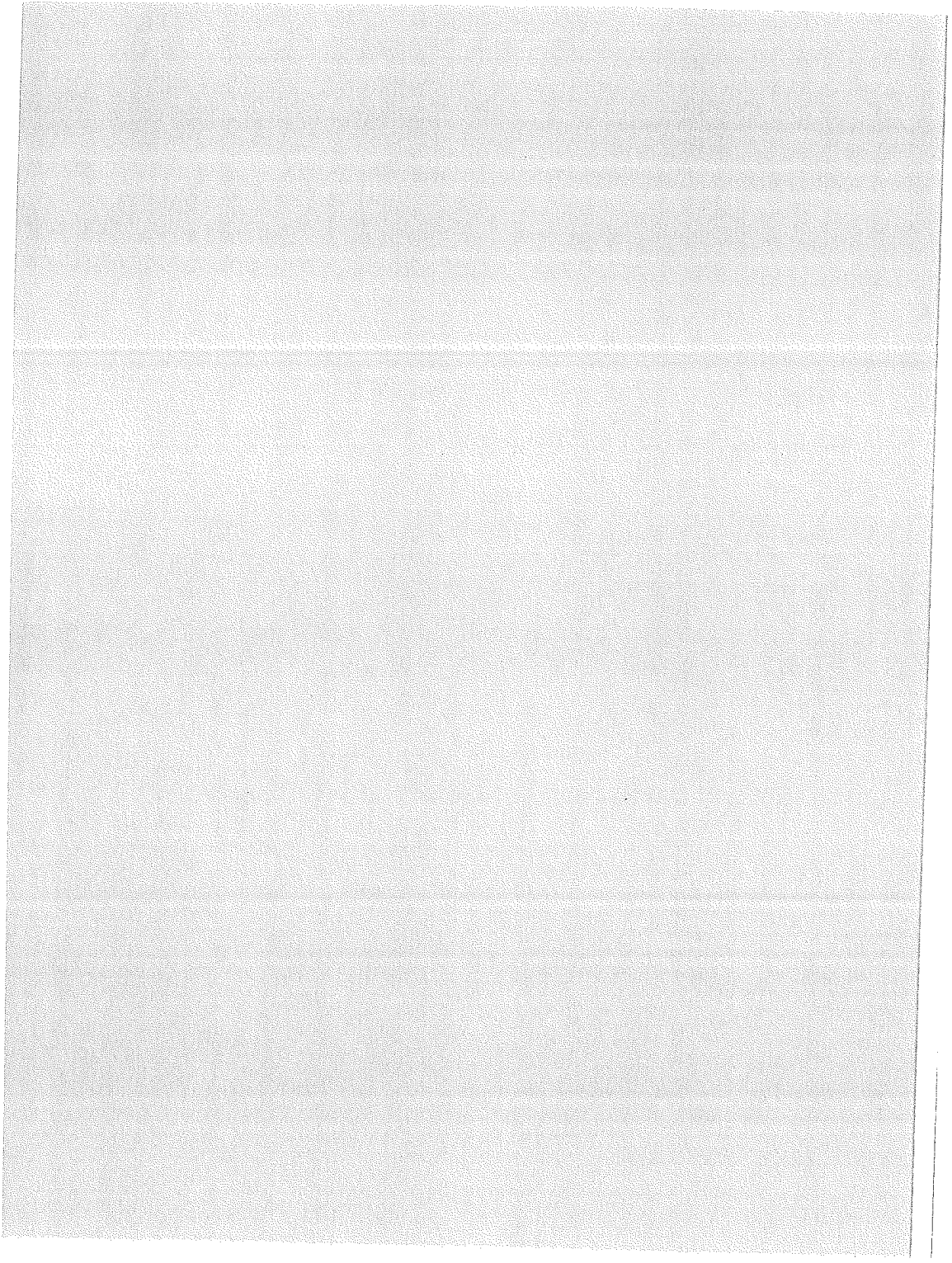
ADOPTED by the Baldwin Town Board of Supervisors this ____ day of _____, 2014.

BALDWIN TOWNSHIP

Jay Swanson, Chairman

Attest:

Cathy Stevens, Clerk/Treasurer





BALDWIN TOWNSHIP

30239 123rd Street, Pleasant Hill 95371
Telephone: (925) 389-4931
Fax: (925) 389-2751
Email: balwin@township.gov
Website: <http://balwin.township.gov/office>

2014 – 2017 COMPREHENSIVE PLAN POLICY (ACTION PLANS) TIMELINES

<u>ACTION PLANS</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
COMMUNITY HISTORY ✓ Historical Preservation						
DEMOGRAPHICS ✓ Housing						
LAND USES ✓ Land Use Goals ✓ Economic Development						
ENVIRONMENT ✓ Environmental ✓ Shorelands, Critical Habitat, Wetlands						
PARKS AND RECREATION ✓ Parks & Recreation						
COMMUNITY SERVICES ✓ Public Infrastructure						
TRANSPORTATION ✓ Transportation						
GOVERNMENTAL RELATIONS ✓ Governmental						
CAPITAL IMPROVEMENTS ✓ Capital Improvements						

BALDWIN TOWNSHIP SURVEY (FBI) 2013																													
QUESTIONS																													
1. Would you please identify yourself as one of the following?																													
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	Total	
Full-time Resident of Baldwin Township	Seasonal Landowner	Commercial Owner	Agricultural Landowner	Industrial Owner	Renter	Other: Second Home																					Land	Commercial	Total
23	25	24	25	25	24	25	25	25	24	23	25	23	24	24	25	22	25	25	25	25	25	24	25	0	0	0	0	585	
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
1	0	1	0	0	0	0	0	0	0	1	2	0	1	2	0	2	0	0	0	0	0	0	0	0	0	0	0	12	
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
2. How long have you owned your property in Baldwin Township?																													
0	3	0	0	1	1	0	0	1	1	0	1	0	1	2	1	0	3	0	0	1	0	1	1	0	0	0	0	608	
4	3	3	3	1	6	3	1	2	4	1	0	1	1	1	4	3	1	0	0	2	3	1	1	0	0	0	18		
5	0	5	5	6	10	6	8	6	6	3	6	4	7	3	5	5	2	7	8	1	4	8	2	1	1	0	52		
15	25	17	17	17	8	16	16	16	14	21	18	20	16	19	15	17	15	10	17	21	18	15	13	5	0	0	129		
3. Are you reasonably satisfied with the level of services and the quality of life in Baldwin Township?																													
Yes	25	21	22	22	24	23	25	22	23	24	22	22	21	21	21	18	23	24	22	21	23	20	24	5	0	0	539		
No	2	23	4	2	1	1	1	0	1	1	2	2	4	1	1	4	1	1	2	3	1	3	1	1	0	0	85		
4. What do you feel are the biggest concerns and what changes would you like to see for this township in the next five years?																													
See attached sheets for answer to this question																													
5. Are you interested in knowing more about incorporation or orderly annexation for Baldwin Township?																													
Yes	15	12	10	10	12	14	15	14	10	10	10	14	10	13	17	12	15	11	12	15	10	9	10	3	0	0	288		
No	4	12	12	10	10	13	8	7	9	13	12	13	10	12	9	10	11	8	16	11	10	14	14	2	0	0	262		
6. Baldwin Township has 78.88 miles of roads in this township. The current annual road and bridge budget for 2013 is \$400,556.00 which is used for grading, sign work, chloride, road re-construction, painting.																													

EXHIBIT 60

TOWN OF BALDWIN SHERBURNE COUNTY, MINNESOTA PARKING ORDINANCE

WHEREAS, the Town of Baldwin is entitled to exercise powers as set forth in MSA Chapter 368, and

WHEREAS, the Town of Baldwin in the exercise of its authority over streets, sidewalks, and public grounds and for the general welfare of the community does hereby adopt the following parking ordinances:

Section. P01. Presumption.

As to any vehicle parking in violation of Baldwin Township parking Ordinances when the driver thereof is not present, it shall be presumed that the owner parked the same or that the driver was acting as the agent of the owner.

The term 'vehicle' as used in this ordinance means any device in or upon or by which any person or property is or may be transported or drawn upon a street, highway, alley or trail and does include trailers, motorcycles, snowmobiles, bicycles, all-terrain vehicles and all vehicles required to be licensed.

Section P02. General Parking Prohibitions.

It is unlawful for any person to stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the specific directions of a peace officer or traffic control device in any of the following places:

1. On a sidewalk or trailway;
2. In front of a public or private driveway or trailway;
3. Within an intersection;
4. Within ten feet of a mailbox;
5. On a crosswalk;
6. Within 20 feet of a crosswalk at any intersection;
7. Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of the roadway;
8. Within 50 feet of the nearest rail of railroad crossing;
9. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
10. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
11. At any place where official signs prohibit or restrict stopping, parking or both;
12. In any alley, except for loading or unloading and then only so long as reasonably necessary for such loading and unloading to or from adjacent premises;
13. On any boulevard which has been curbed.
14. On any portion of a street or highway or other public property between the roadway and abutting property, unless within a residential driveway not exceeding 24 feet wide when the distance between the garage and the road right

of way is less than 12 feet and the intrusion does not extend to within 5 feet of the traveled roadway;

15. Between any adjacent roadways which are part of a street or highway.

Section P03. Recreational Camping Vehicle Parking.

Subd. 1. Definition. The term "recreational camping vehicle" means any of the following:

A. *Travel trailer* mean a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses, permanently identified "travel trailer" by the manufacturer of the trailer.

B. *Pickup coach* means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel recreation and vacation.

C. *Motor home* means a portable, temporary building to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.

D. *Camping trailer* means a folding structure, mounted on wheels and designed for travel, recreation and vacation uses.

Subd. 2. *Unlawful act*. It is unlawful for any person to leave or park a recreational camping vehicle on or within the limits of any street or right-of-way for a continuous period in excess of 24 hours. During such 24-hour period, such vehicle shall not be occupied as living quarters.

Section P04. Display of vehicle for sale. No person shall place a vehicle on a highway to display the same for sale or exchange. A vehicle shall be deemed to be displayed in violation of this section when found standing upon a street or highway bearing a sign indicating that it is for sale or exchange.

Section PO5. Overnight parking. No person may park or permit any vehicle to stand upon any highway, street, alley, Town-owned parking lot or any other public property in the Town for more than 24 consecutive hours except in areas designated for such parking by signs erected by authority of the Town Board of Supervisors, and except in emergency situations where prior authorization for the parking has been obtained from a peace officer.

Section PO6. Commercial motor vehicles. No motor vehicle over one-ton capacity bearing a commercial license and no commercially licensed trailer may be parked on any street or roadway in any area in the Town which is zoned residential, except when such vehicle is engaged in loading and unloading or rendering a service in the area involved.

Section PO7. Private Property; owner permission required. No person may park or permit any vehicle to stand upon any public or private property that is sodded or landscaped and is maintained as a boulevard or open yard space adjacent to a street, highway or parking lot, except with the permission of the owner of the property.

Section PO8. Abandoned motor vehicles; penalty. (a) No abandoned motor vehicle shall remain upon any street or highway in the Town. Any vehicle which is permitted to remain upon any street or highway

in the Town in excess of seventy-two (72) consecutive hours or any vehicle lacking vital component parts shall be presumed to be abandoned and may be immediately removed and impounded by any peace officer or duly authorized person in accordance with this code.

Section PO9. Illegally parked vehicle removal.

Subd. 1. *Nuisance.* Any vehicle parked in violation of any Town ordinance is declared a nuisance and may be summarily abated by removing the vehicle by or under the direction or at the request of a peace officer to a place of storage by means of towing truck. The peace officer may require the driver or owner to remove the vehicle off the paved, improved or traveled portion of the street.

Section P10. Recovery of stored vehicles. Before the owner or his agent is permitted to remove a vehicle from the place of storage, the owner must:

(1) Furnish satisfactory evidence to the person in charge of the storage area of his identity and ownership of the vehicle; and

(2) Pay any storage charge to the person in charge of the storage area for the towing and storage of the vehicle.

Section P11. Violation a petty misdemeanor. Every person violates a section, subdivision, paragraph or provision of this chapter when he performs an act thereby prohibited or declared unlawful or fails to act when such failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished by fine as petty misdemeanor.

The foregoing Ordinance was adopted by the Baldwin Town Board of Supervisors, this

3rd, day of April, 2000.

Certified this 3 day of April, 2000,

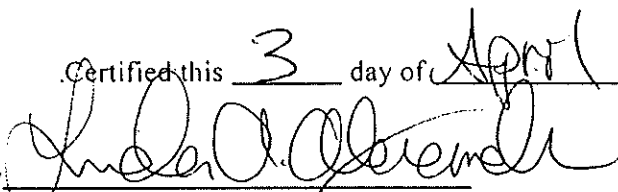
By: 
Baldwin Town Clerk

EXHIBIT 61

TOWN OF BALDWIN
SHERBURNE COUNTY, MINNESOTA
PARKING ORDINANCE #2003-01
Revised December 1, 2003

WHEREAS, the Town of Baldwin is entitled to exercise powers as set forth in MSA Chapter 368, and

WHEREAS, the Town of Baldwin in the exercise of its authority over streets, sidewalks, and public grounds and for the general welfare of the community does hereby adopt the following parking ordinances:

Section PO1. Presumption. As to any vehicle parking in violation of Baldwin Township parking Ordinances when the driver thereof is not present, it shall be presumed that the owner parked the same or that the driver was acting as the agent of the owner.

The term "vehicle" as used in this ordinance means any device in or upon or by which any person or property is or may be transported or drawn upon a street, highway, alley or trail and does include trailers, motorcycles, snowmobiles, bicycles, all-terrain vehicles and all vehicles required to be licensed.

Section PO2. General Parking Prohibitions. It is unlawful for any person to stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the specific directions of a peace officer or traffic control device in any of the following places:

1. On a sidewalk or trailway;
2. In front of a public or private driveway or trailway;
3. Within an intersection;
4. Within ten feet of a mailbox;
5. On a crosswalk;
6. Within 20 feet of a crosswalk at any intersection;
7. Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of the roadway;
8. Within 50 feet of the nearest rail of railway crossing;
9. Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic;
10. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
11. At any place where official signs prohibit or restrict stopping, parking or both;
12. In any alley, except for loading or unloading and then only so long as reasonably necessary for such loading and unloading to or from adjacent premises;
13. On any boulevard which has been curbed;
14. On any portion of a street or highway or other public property between the roadway and abutting property, unless within a residential driveway not exceeding 24 feet wide when the distance between the garage and the road right of way is less than 12 feet and the intrusion does not extend to within 5 feet of the traveled roadway;
15. Between any adjacent roadways which are part of a street or highway.

Section PO3. Recreational Camping Vehicle Parking. Subd. 1. Definition. The term "recreational camping vehicle" means any of the following:

- A. *Travel trailer* means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses, permanently identified "travel trailer" by the manufacturer of the trailer.
- B. *Pickup coach* means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel recreation and vacation.
- C. *Motor home* means a portable, temporary building to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
- D. *Camping trailer* means a folding structure, mounted on wheels and designed for travel, recreation and vacation uses.

Subd. 2. *Unlawful act.* It is unlawful for any person to leave or park a recreational camping vehicle on or within the limits of any street or right-of-way for a continuous period in excess of 24 hours. During such 24-hour period, such vehicle shall not be occupied as living quarters.

Section PO4. Display of vehicle for sale. No person shall place a vehicle on a highway to display the same for sale or exchange. A vehicle shall be deemed to be displayed in violation of this section when found standing upon a street or highway bearing a sign indicating that it is for sale or exchange.

Section PO5. Overnight parking. No person may park or permit any vehicle to stand upon any highway, street, alley, Town-owned parking lot or any other public property in the Town for more than 24 consecutive hours except in areas designed for such parking by signs erected by authority of the Town Board of Supervisors, and except in emergency situations where prior authorization for the parking has been obtained from a peace officer.

Section PO6. Commercial motor vehicles. No motor vehicle over one-ton capacity bearing a commercial license and no commercially licensed trailer may be parked on any street or roadway in any area in the Town which is zoned residential, except when such vehicle is engaged in loading and unloading or rendering a service in the area involved.

Section PO7. Private Property; owner permission required. No person may park or permit any vehicle to stand upon any public or private property that is sodded or landscaped and is maintained as a boulevard or open yard space adjacent to a street, highway or parking lot, except with the permission of the owner of the property.

Section PO8. Abandoned motor vehicles; penalty. (a) No abandoned motor vehicle shall remain upon any street or highway in the Town. Any vehicle which is permitted to remain upon any street or highway in the Town in excess of seventy-two (72) consecutive hours or any vehicle lacking vital component parts shall be presumed to be abandoned and may be immediately removed and impounded by any peace officer or duly authorized person in accordance with this code.

Section PO9. Illegally parked vehicle removal. Subd. 1. *Nuisance.* Any vehicle parked in violation of any Town ordinance is declared a nuisance and may be summarily abated by removing the vehicle by or under the direction or at the request of a peace officer to a place of storage by means of towing truck. The peace officer may require the driver or owner to remove the vehicle off the paved, improved or traveled portion of the street.

Section P10. Recovery of stored vehicles. Before the owner or his agent is permitted to remove a vehicle from the place of storage, the owner must:

- A. Furnish satisfactory evidence to the person in charge of the storage area of his identity and ownership of the vehicle; and
- B. Pay any storage charge to the person in charge of the storage area for the towing and storage of the vehicle.

Section P11. Winter Parking. The winter parking section is in effect November 1 through April 15. During that time no person shall park any motor vehicle on any township road 24 hours a day. The purpose is to provide safe and efficient snow removal throughout the township. Any vehicle parked in violation will be authorized to be towed by any employee or independent contractor of the township.

Section P12. Violation is a petty misdemeanor. Every person who violates a section, subdivision, paragraph or provision of this chapter when he/she performs an act thereby prohibited or declared unlawful or fails to act when such failure is thereby prohibited or declared unlawful and, upon conviction thereof, shall be punished by fine as a petty misdemeanor.

The foregoing Ordinance # 2003-01 was adopted by the Baldwin Town Board of Supervisors, this 1st day of December 2003.

TOWN OF BALDWIN

By: Jess A. Hall
Jess A. Hall
Baldwin Township Chair

ATTEST:

Cathy L. Stevens
Cathy L. Stevens
Clerk/Treasurer

EXHIBIT 62

**BALDWIN TOWNSHIP
SHERBURNE COUNTY**

P.O. Box 25 Princeton, Mn.

PARKING ORDINANCE NUMBER ONE

WHEREAS MINNESOTA STATUE PLACES THE BALDWIN TOWN BOARD RESPONSIBLE FOR THE HEALTH, SAFETY AND WELFARE OF IT'S RESIDENTS; AND,

WHEREAS NOT HAVING PARKING REGULATIONS AT THE PRESENT TIME PLACES THE TOWNSHIP INDIRECTLY LIABLE BECAUSE OF IRREGULAR AND OBSTRUCTIVE PARKING; AND,

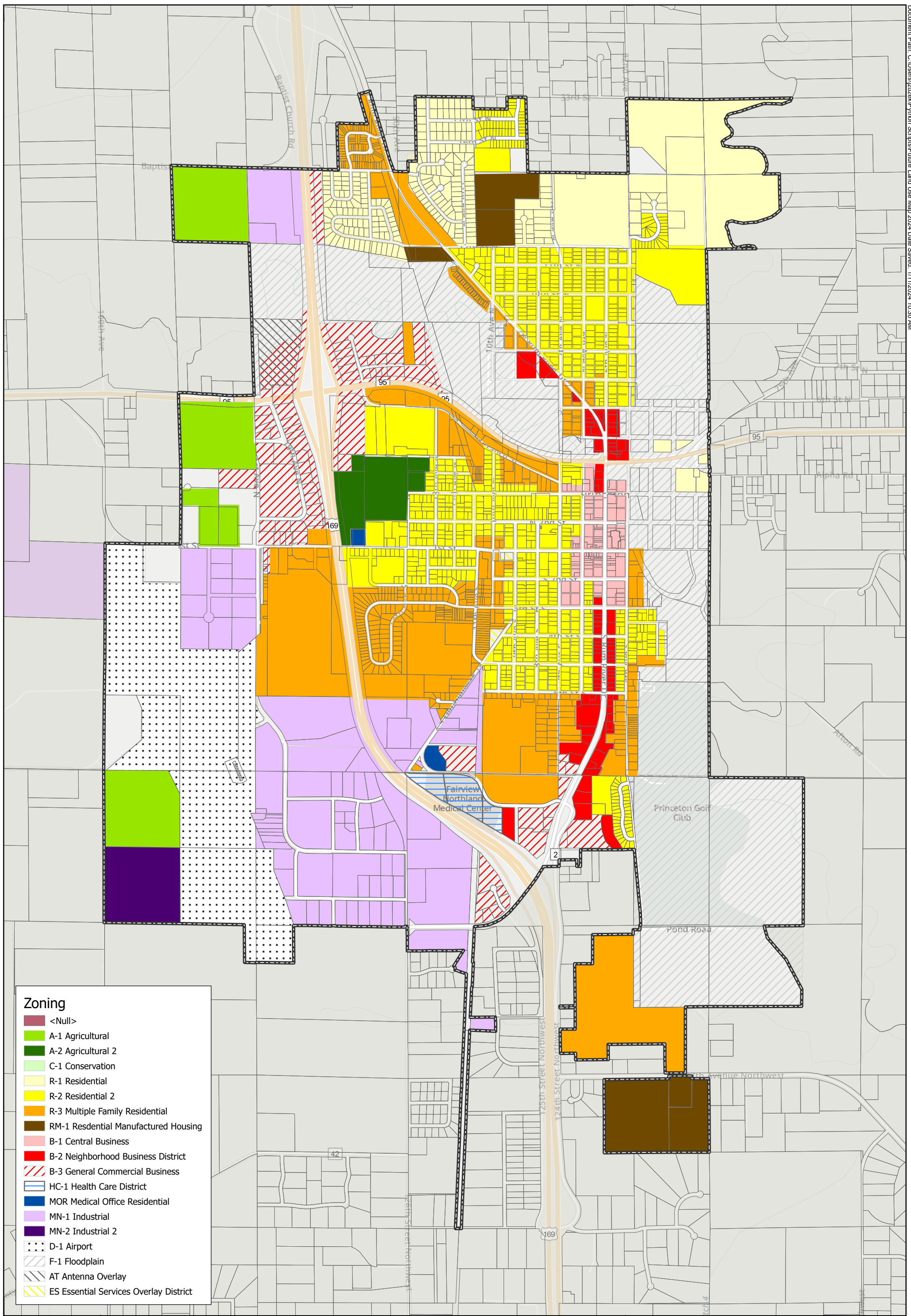
WHEREAS THE ROADS IN EARLIER SUBDIVISIONS ARE 40' WIDE (SHERBURNE COUNTY APPROVED MANY YEARS AGO) AND ARE IN NEED OF REGULATION TO KEEP THEM OPEN AND SAFE; AND,

WHEREAS WE ARE GETTING COMPLAINTS FROM MORE AND MORE RESIDENTS REGARDING PARKING PROBLEMS,

BE IT THEREFORE RESOLVED, THAT THE BALDWIN TOWN BOARD REQUIRES:

1. ALL VEHICLES BELONGING TO PEOPLE RESIDING IN A RESIDENCE MUST BE PARKED ON THEIR LOT OR ON THE ADJACENT RIGHT-OF -WAY. OVERNIGHT PARKING WILL BE ALLOWED UNDER THE SAME CONDITIONS. ALL SUCH VEHICLES MUST BE LICENSED AND MOVED AT LEAST EVERY 24 HOURS. THE TERM "VEHICLES" INCLUDES TRAILERS, MOTORCYCLES, SNOWMOBILES, BICYCLES AND OTHER LICENSED VEHICLES.
2. TEMPORARY PARKING MAY BE ALLOWED IF VISITORS COME, BUT ONLY ON THE DRIVEWAY OR ON THE ADJACENT ROAD RIGHT OF WAY. THE SAME CONDITIONS APPLY AS THOSE TO RESIDENTS.
3. NO PARKING WILL BE ALLOWED ON THE ROAD RIGHT OF WAY IF POSTED AS A NO PARKING ZONE.

BALDWIN TOWNSHIP BOARD



Zoning

[Red]	<Null>
[Light Green]	A-1 Agricultural
[Dark Green]	A-2 Agricultural 2
[Light Green]	C-1 Conservation
[Yellow]	R-1 Residential
[Light Yellow]	R-2 Residential 2
[Orange]	R-3 Multiple Family Residential
[Brown]	RM-1 Residential Manufactured Housing
[Pink]	B-1 Central Business
[Red]	B-2 Neighborhood Business District
[Red with diagonal lines]	B-3 General Commercial Business
[Blue with diagonal lines]	HC-1 Health Care District
[Dark Blue]	MOR Medical Office Residential
[Purple]	MN-1 Industrial
[Dark Purple]	MN-2 Industrial 2
[Dotted pattern]	D-1 Airport
[Diagonal lines]	F-1 Floodplain
[Diagonal lines]	AT Antenna Overlay
[Yellow with diagonal lines]	ES Essential Services Overlay District



**Zoning Map
Princeton, MN**

EXHIBIT 63



0 2,000
Feet
1 inch = 2,000 feet



EXHIBIT 64

MEMORANDUM



TO: Members of the Princeton Fire and Rescue Department
FROM: M McPherson, City Administrator
SUBJECT: Department Behavior and Future Expectations
DATE: December 18, 2023

It has become apparent through behavior exhibited at the Department Annual Meeting and at Fire Executive Board meetings that some members of the Department have lost their focus on what the roles and responsibilities are of the Assistant Fire Chief, Captains and regular firefighters. A select few, through their actions, have created a harassing and toxic work environment, which is unacceptable and I expect it to stop immediately.

I understand that historically, the Chief and the Executive Board were once elected by a vote of the membership of the Department. In order to move the Department forward in terms of its level of professionalism, the decision was made to establish an appointed Chief position. This decision was vetted by the Fire Advisory Board who recommended this change in leadership determination to the Princeton City Council. The City Council then established a part-time (20 hour per week) position.

ALL City employees work at the pleasure of the City Council. The City Council ultimately approves, based on recommendations from the various department heads, all hirings. Further, the City Council has tasked the City Administrator with the job of overseeing and directing the work of department heads in order to accomplish the goals and priorities of the City Council in the best interest of the residents and customers we serve. Staff below the department head level, the Fire Executive Board for the Department in this case, do not direct the work of their supervisors; I expect that line staff in all departments are responsible enough to bring the needs of the department to their appropriate supervisor who then, if needed, brings those needs to me if they cannot be immediately addressed by the adopted department budget or the supervisor. This is called "chain of command" and I expect that this process will be honored going forward.

The City Council is responsible for setting the City budget which is comprised of all of the various department budgets. What a person may get paid is not set by the department, but by the City Council. I would remind the Department that half of the Chief's salary is currently covered by the federal grant received for REP.

While all city employees are "at will" employees, the City prefers to utilize progressive discipline. Verbal warnings, written warnings, performance improvement plans, suspension and then dismissal are all components of progressive discipline. Votes of "no confidence" by city employees regarding any other city employee are of no effect and have no place in a progressive discipline system. In addition, reports of violations, issues, or concerns that remain unaddressed must be specific and actionable. Again, I expect that the chain of command will be followed in reporting issues, and they will not be left to linger. Progressive discipline applies to all employees of the City including paid on call, volunteer firefighters.

No Department Head does everything in their department, each department is a team that contributes to the overall operations of the City. As City Administrator, I am responsible for directing the work of every Department Head in the City, I depend on those subject matter experts to utilize their teams to get the work done. I also expect the team members to participate and provide input, in a positive manner, to their respective Department Head regardless of their personal feelings about their supervisor. It is clear to me, based on the behavior of members of the PFRD, this expectation has been lost.

The members of the Fire Executive Board have been elected to a leadership role by the members of the Department. As valued and experienced members of the Department, they take direction from the Chief, provide support by accepting responsibility for a portion of the Department's operations and physical assets, motivate regular members and foster a positive working environment. They are not exempt from respecting the chain of command. They are not responsible for directing the work of the Chief.

In summary:

- the City Council is responsible for approving all hirings;
- the City Council is responsible for approving all budgets, including wages and staff hours;
- the City Administrator has been tasked with overseeing and directing the work of all Department Heads;
- the City has a system of progressive discipline and votes of "no confidence" by city employees regarding other city employees have no bearing on that process;
- the City Administrator expects that the chain of command will be respected and utilized;
- the City Administrator expects that all City employees will behave respectfully and professionally at any and all meetings; and
- the City Administrator expects that the members of the PRFD will treat each other with respect, be helpful and support the work of the Chief now and in the future.

I can confidently say on behalf of the Princeton City Council that you are all valued for your service to the community and are highly respected. I expect that your focus will return to what you do best, serving and protecting the Princeton Community.

EXHIBIT 65

https://www.hometownsource.com/union_times/community/baldwin-firefighters-rescue-dog-from-lake/article_62f02b46-d64c-11ee-bed8-bf45518990f0.html

FEATURED

Baldwin firefighters rescue dog from lake

Chloe Smith
Feb 29, 2024



Hades was pulled from the icy water of Elk Lake in Baldwin Township after the quick action of medical student Catie Gray in calling 911 and the swift response by the Baldwin Fire Department on Sunday, Feb. 18.

Photo provided by the Mille Lacs County Animal Care and Protection Facebook page

On Sunday, Feb. 18, the Baldwin Fire Department rescued a dog after it had fallen through the ice on Elk Lake.

The dog, later identified as Hades, was found fighting for his life in water after escaping from his home.

At approximately 10:00 p.m. on Sunday, Feb. 18, Baldwin Fire Department firefighters responded to a call from Robin Fisher

WeightWatchers Figuring out your next meal or snack? 🥗 🍔 🍿

“We responded with our rescue rig, and we have another trailer that we respond with that has an ice rescue sled,” Fisher said. “The dog was in the channel that goes into Elk Lake, the channel to the north. He was whimpering a little bit when I got there, but he barely had his nose above the water.”

According to Fisher, the firefighters were ready to go as soon as they made it to the scene, right in the nick of time.

“One of our rescuers was able to get out there right away, get on the ice and spread his weight out. I think the dog was probably going down right as he grabbed the collar. It was a large dog, and he couldn’t get the dog out of the water by himself, so with the help of our team on shore, they were able to pull him and the dog out of the hole and back to shore,” Fisher said.

Once Hades was back on land, firefighters made the call to animal control to have them meet the firefighters and Hades back at the Baldwin Fire Department.

According to Fisher, the firefighters worked to keep Hades dry, warm, and supplied oxygen to him until animal control was able to come get him and bring him to an emergency vet.

“I don’t know how long he had been in (the water). I talked to the owner later in the day, and they said the dog had pushed the garage door open and had gotten out. They had been looking for the dog for about three hours, but he couldn’t have been in the ice that long,” Fisher said.

After the chaos of the rescue died down, Fisher realized it was the quick action of one of his medical students that resulted in Hades’ rescue.

“It was my med student that heard the dog. She thought it was the swans that had been around Elk Lake. When she saw the dog, she called 911 right away,” Fisher said. “Thankfully, Catie (Gray) had thought to check because otherwise the dog wouldn’t have made it.”

“It was so persistent that I thought I should check,” Gray said. “When I did, I knew right away something was wrong and it sounded like an animal needed help. I looked out the window and saw the dog trapped in the ice, so I called 911 right away.”

After Gray made the call to 911, she went outside and began encouraging the dog, letting Hades know someone was there and help was on the way.

“Me and the other person that responded were trying to encourage the dog, but it was definitely nerve-wracking to watch. I felt helpless because I couldn’t go out on the ice,” Gray said. “I’m thankful that they responded quickly, and that they were able to get him out and he made a good recovery.”

According to a Facebook post by the Mille Lacs County Animal Care & Protection on Feb. 18 and updated on Feb. 25, Hades has improved in the days since the incident and has finally returned to running around.

Reach Chloe Smith at chloe.smith@apgecm.com

Chloe Smith
Editor

