

Meeting of the Windemere Township Board - June 13, 2019

The meeting was called to order at 6:30 PM by Chairman, John Wesely. Others present were Supervisors, Pete Steen & Heidi Kroening, Treasurer, Ron Mossberg, and Clerk, Scott Danelski.

CLERK'S REPORT :

The Clerk's report was unavailable and tabled for approval until the July 11<sup>th</sup>, 2019 meeting.

TREASURER'S REPORT :

Treasurer's financial report was read. Motion by Steen, seconded by Kroening to approve the Treasurer's May 2019 financial report as submitted. Motion passed, 3 Aye – 0 Nay.

OLD BUSINESS :

CHIP SEALING TOWNSHIP ROADS :

At 7 PM the Board opened the sealed bids for the 2019 Windemere Township road chip sealing. One bid was submitted by Fahrner Asphalt Sealers. The chip & fog sealing process will include thoroughly cleaning the existing surface with self-propelled broom. Applying 170-degree emulsified asphalt by full-width spray distributor. Applying FA-2 Trap Rock cover aggregate and spread uniformly over surface with full-width self-propelled chip spreader. Roll with pneumatic-tired roller. Sweep off excess aggregate and apply CSS-1h diluted at a rate of approximately .10 gallons/square yard. The GSB-88 process will include thoroughly cleaning the existing surface with a self-propelled broom. Applying GSB-88 sealant at a rate of approximately .10 gallons/square yard and immediately apply slag sand at a rate of approximately .5 pounds/square yard. Motion by Steen, seconded by Kroening to accept Fahrner Asphalt Sealers quote to chip & fog seal Island Lake Road for \$54,633.52 and apply GSB-88 sealant to Warloe Road for \$9583.72, Twilight Lane for \$8589.58, Sunny Beach Road for \$5269.47, and Majestic Pine Drive for \$3477.91 for a grand total cost of \$81,554.20. Motion passed, 3 Aye – 0 Nay.

BALSAM ROAD BOX CULVERT :

The Balsam Road box culvert was discussed. Pine County will be opening vendor bids for installation of the box culvert on Balsam Road on Tuesday July 9<sup>th</sup>, 2019.

#### ISLAND LAKE OUTLET :

The Island Lake outlet was discussed. The Minnesota DNR, Pine County, and the Pine County Board of Soil & Water Conservation District (PCSWCD) are unwilling to accept ownership of the easement to maintain the proposed outlet for Island Lake. Motion by Wesley, seconded by Kroening to accept the ownership of the easement and the maintenance of the proposed outlet channel for Island Lake. Motion passed, 3 Aye – 0 Nay. The Pine County Attorney will draft the easement. Ownership of the easement protects a township asset (Island Lake Road).

#### STURGEON ISLAND BRIDGE # R0726 :

The Sturgeon Island Bridge # R0726 was discussed. Erickson Engineering submitted a letter of recommendation which provided three alternatives to either repair or replace the Sturgeon Island Bridge.

Alternative #1 (Rehabilitate the Existing Bridge Structure) – This alternative would keep the original aesthetics of the bridge, outlooks, height, width, entrance clearances, and have no crash-tested barrier railing. Alternative #1 would require a MnDOT State Aid Rules variance approval for the width and no crash barrier to be eligible for funds from the Town Bridge Account to cover costs in excess of the township's responsibility of \$20,000.00. Total cost for alternative #1 is \$290,000 (\$237,000.00 for the bridge and \$53,000.00 for the canopy/cover) of which the \$53,000.00 canopy/cover of the bridge is not funded at all by the Town Bridge Account. Please note the MnDOT Bridge Office policy typically recommends full replacement of a structure if rehabilitation costs exceed 65% of replacement costs. Eligible rehabilitation costs of alternative #1 are 76% of the costs to replace the structure.

Alternative #2 (Replace the Existing Bridge with a 48' Long / 20' Wide Treated Timber Panel-Lam Bridge) – This alternative would be in compliance of State Aid Rules for width (20') as well as the required TL-2 crash-tested timber rail barrier and would not require a variance by MnDOT. Total cost for alternative #2 is \$416,000.00 (\$313,000.00 for the bridge and \$103,000.00 for the canopy/cover) of which the \$103,000.00 canopy/cover of the bridge is not funded at all by the Town Bridge Account. Since alternative #2 falls under the Town Bridge Account eligibility, the total cost to Windemere Township would be \$20,000.00 to replace the existing structure.

Alternative #3 (Replace the Existing Bridge with a 48' Long / 14' Wide Treated Timber Panel-Lam Bridge) – This alternative would also have the required TL-2 crash-tested timber rail barrier, but would require a MnDOT State Aid Rules variance approval for width (14') to be eligible for funds from the Town Bridge Account to cover costs in excess of the township's responsibility of \$20,000.00. Total cost for alternative #3 is \$370,000 (\$280,000.00 for the bridge and \$98,000.00 for the canopy/cover) of which the \$98,000.00 canopy/cover of the bridge is not funded at all by the Town Bridge Account. Please note the MnDOT Bridge Office policy typically recommends full replacement of a structure if rehabilitation costs exceed 65% of replacement costs. Eligible rehabilitation costs of alternative #3 are 85% of the costs to replace the structure.

Motion by Wesely, seconded by Steen to cease Erickson Engineering from pursuing to write-up a variance to the MnDOT Bridge Office for repairing the Sturgeon Island Bridge # 0726 existing structure. Motion passed, 3 Aye – 0 Nay.

Motion by Wesely, seconded by Steen to accept Erickson Engineering's alternative #2 from their letter of recommendation to replace the existing Sturgeon Island Bridge # 0726 with a new Treated Timber Panel-Lam Bridge for a cost of \$313,000.00. The new structure recommended in alternative #2 would be in compliance of State Aid Rules for width (20') as well as the required TL-2 crash-tested timber rail barrier and would not require a variance by MnDOT and Windemere Township's total cost to replace the structure would be \$20,000.00. Motion passed, 3 Aye – 0 Nay.

#### STURGEON ISLAND ROAD :

Scott Quittem was present to discuss the high-water level of Sturgeon Lake and the flooding at his property located at 89581 Sturgeon Island Road. Mr. Quittem believes that Sturgeon Lake is not an evaporation lake and that there was once an outlet for Sturgeon Lake crossing Pine County Road 46 / Lakeland Road near the intersection of Northstar Drive in which water from Sturgeon Lake flowed into Rush Lake and then eventually into Passenger Lake. Dick Herzog was present and stated that the outlet for Sturgeon Lake is a culvert under Pine County Road 46 / Lakeland Road which is located at the most western point of Sturgeon Lake and that the water flows through a marshy area and then eventually into Dago Lake. Mr. Herzog explained that Dago Lake does not have an outlet and Sturgeon Lake is indeed an evaporation lake. James Kaffer was present and stated that Passenger Lake does not have an inlet. It was explained to Mr. Quittem that the Lake Owners Association has formed a committee to contact the Army Corp of Engineers to see if they can help alleviate the high-water problem on Sturgeon Lake. Since the outlet runs under a county road, it is outside of the township's jurisdiction. Chairman Wesley to contact Pine County about the high-water level.

Ben Anderson from Straightline Surveying was present and he stated he completed a topographical survey of elevations located at the address 89483 Sturgeon Island Road to verify which way the water is flowing. Ben stated Sturgeon Island Road is crowned in the middle so that water flows both ways from the center of the road, he also stated that the culvert located near the address is mostly plugged. Ben verified that the property is lower than the current water level of Sturgeon Lake. The current level of Sturgeon Lake is approximately 8/10<sup>ths</sup> above the ordinary high-water level for the lake. The Board asked Ben for any recommendations and he stated that most of the problems are a result of the low level of the private property and explained that the property is located in the lowest point in the area and has historically collected water for years. Also, the level of Sturgeon Lake is at historic high-water levels which is compounding the problem. Ben stated that the elevation of the property will need to be raised to help alleviate the problem and at the same time Sturgeon Island Road would need to be raised and water sheeted in the opposite direction from the property. Plugging the culvert in the area might also help, but these options may not solve the problem because the current high-water level fluctuation may continue. No action taken at this time.

#### ROAD T-756 :

Pine County named road T-756 was discussed. Ben Anderson from Straightline Surveying was present and he stated he completed a survey of road T-756 and the road/driveway falls exactly where the Pine County plat of Interlachen Woods states the road easement should lie. Since road T-756 is in the correct location, the township once received gas tax reimbursement from Pine County for the road, and Windemere Township never officially vacated the road, Windemere Township declares road T-756 as an abandoned township road. Motion by Steen, seconded by Wesely to approve township attorney Kevin Hofstad to write a resolution declaring T-756 as an abandoned Windemere Township Road. Motion passed, 3 Aye – 0 Nay. The passed resolution will be recorded at the Pine County Courthouse.

#### HARMONY LANE :

Harmony Lane was discussed. Ben Anderson from Straightline Surveying was present and he stated they completed a topographical survey of elevations located at Harmony Lane, Northstar Drive and Cori Lane to see which way the water flows. Elevations show that there is approximately 9" of difference between water levels on each side of Harmony Lane and about approximately 12" of difference between water levels on each side of Cori Lane. Ben's recommendations for an immediate temporary fix of the current water problem is to clean out or replace the culverts on Harmony and Cori Lanes and also place rip-rap and do some maintenance to keep the culverts free from silt and sand to keep the water flowing. Ideally there would also need to be some ditching completed as there are some high points that will back up the water. The water pooled up on the east side of Harmony Lane is approximately 2' higher than the elevation of Rush Lake, so water will flow to the lake. All of the information discussed above has been provided to Erickson Engineering to be used in designing the plans for the repairing Harmony Lane. The draining of the sloughs around Harmony Lane will not significantly raise the level of Rush Lake and the current lake level of Rush Lake is below the its ordinary high-water level. No action taken at this time.

#### WINDEMERE TOWNSHIP CLASS-5 GRAVEL RECLAIMING :

Windemere Township class-5 gravel reclaiming was discussed. Ben Anderson from Straightline Surveying was present and stated that he completed some cross-section volume studies of wind-rowed class-5 gravel piles reclaimed from the township ditches. Five different roads were cross-sectioned and the average came to 1.50 square feet. After extrapolation, the volumes came to an average of approximately 293 cubic yards of reclaimed class-5 gravel per linear mile. No action taken at this time.

#### TOWNSHIP POLICIES :

An update was given on the writing of township policies as recommended by the external auditor. A special meeting for reviewing township policies was held on Tuesday May 28<sup>th</sup>, 2019. At the meeting the first draft of six new policies were discussed. Revisions will be made and the policies will be adopted at a later meeting.

#### NEW BUSINESS :

#### PUBLIC INPUT :

Public input during Windemere Township monthly Board meetings was discussed. Chairman Wesely apologized for the decorum and the way the May 2019 meeting was conducted. Wesely stated that the Board values constituent's opinions, but explained the public meetings are not the venue for a public forum. If constituents need to discuss issues or concerns with the Board, other township official, or employees, they may do so before or after meetings via emails, phone numbers, or the addresses listed on the Windemere Township website. Motion by Wesely, seconded by Steen to eliminate all public input for the next three monthly Windemere Township Board meetings beginning with tonight's June 13<sup>th</sup> meeting. Motion passed, 3 Aye – 0 Nay. The Board will adopt a Meeting Rules of Procedure and Decorum Policy and revisit allowing public input at future meetings at a later date.

#### 3.2% MALT LIQUOR LICENSE :

The liquor license for Ray and Marge's Resort was discussed. Motion by Steen, seconded by Wesely to approve the 3.2% Malt Liquor License for Ray and Marge's Resort for the dates of July 1<sup>st</sup>, 2019 through June 30<sup>th</sup>, 2020. Motion passed, 3 Aye – 0 Nay.

#### WINDEMERE TOWNSHIP ROAD MAINTENANCE DEPARTMENT :

Ron Mossberg presented a PowerPoint report named Road Maintenance In-House Operations vs Contractor Operations : Cost Analysis and Comparison.

Supervisor Heidi Kroening presented a PowerPoint report named Minnesota Association of Township Perspective which was derived from an email received from MATs attorney, Steve Fenske, analyzing Ron Mossberg's above-named report.

Road Maintenance Supervisor, Mike Buetow, presented a PowerPoint report named Windemere Township Maintenance Department Report high-lighting saving recommendations the Road Maintenance Department has made to the Board of Supervisors over the past eighteen months.

#### DOBO'S TAX-FORFEITED PROPERTY :

The tax-forfeited Dobo property was discussed. Pine County contacted Windemere Township asking if the township would be willing to give up the approximate \$55,200.00 lien the township has on the Dobo property so the county may sell it and get the property back onto the tax roll. If the county was able to sell the property, the county would receive approximately 13% of the sale price and the township would receive the remainder of the monies collected in the sale to help recoup the township's cost to clean up the property after the fire. The county estimates the value of the Dobo property at approximately \$35,000.00 to \$45,000.00.

Another option provided by the county was for the township to purchase the property back at the cost of \$1.00 and allowing the township to sell the property on its own. While the township owns the property, the township would not have to pay county property taxes on the property. Motion by Steen, seconded by Kroening to approve getting the tax-forfeited Dobo property appraised to determine the property's value. Motion passed, 3 Aye – 0 Nay. Chairman Wesely to contact a couple of commercial appraisers about getting the appraisal.

#### WINDEMERE TOWNSHIP POPULATION & HOUSEHOLD ESTIMATES :

The Windemere Township population estimate and household estimate was discussed. The State of Minnesota Demographic Center provided a report stating that Windemere Township's population sits at 1691 people with 734 households as of April 1<sup>st</sup>, 2018. The Demographic Center requested Windemere Township to review the report for accuracy and to comment with any questions or concerns. No action taken at this time.

#### ROAD UPDATE :

Road Maintenance Supervisor, Mike Buetow requested permission to replace a couple culverts on Harmony and Cori Lanes to make some temporary repairs to alleviate the flooding issues at the intersection of Harmony Lane and Northstar Drive until the Harmony Lane Improvement Project can be completed next year.

#### BOARD OF SUPERVISORS OTHER :

Supervisor Kroening spoke about the packets that were placed on each of the audiences chairs this evening in regards to clarifying the roles of all elected township officials.

ZONING UPDATE :

Zoning Administrator, Phill White gave the monthly zoning update. The Zoning Department received 13 new permit applications since last month. Summer Zoning Department hours are in effect and contact information is being left on the door so that individuals are still able to contact the Zoning Department employees while they are out on other Zoning issue calls. The Zoning Department recently attended the Lakes Association meeting at Camp Miller. Pine County will soon be opening a new solid waste transfer station at the intersection of County Hwy 61 and Dago Lake Road.

PLANNING COMMISSION UPDATE :

Clair Strandlie and Cindy Carlson gave the Planning Commission update. The Planning Commission held their last meeting on June 11<sup>th</sup>, 2019. The Planning Commission is requesting the Board to set a meeting date between the Planning Commission and the Windemere Board of Supervisors to discuss the Comprehensive Plan. The meeting will occur at the next regularly scheduled Planning Commission meeting which will be held on Tuesday August 13<sup>th</sup>, 2019 6:30 PM located at the Windemere town hall. The Planning Commission presented three versions for a new town hall sign which were created by Image Design of Moose Lake. All three versions were very nice, but the Planning Commission stated that they unanimously chose version #3 and have ordered the new sign for the Windemere town hall at a cost of \$100.00.

FIRE DISTRICT UPDATE :

Chairman Wesely gave the Fire District update. Windemere township had seven calls during the last period, four medical calls, one grass fire, and two cancelled calls.

PUBLIC INPUT & RESPONSE TO MEETING GIVEN :

N/A

CLAIMS :

May 2019 claims were reviewed. Motion made by Steen, seconded Wesely to approve the May 2019 claims as submitted. EFTs - 1913 through 1914, Checks - 12301 through 12304 along with Checks - 12307 through 12330 & Direct Deposits - 1161 through 1167 for a total of \$77,090.55. Motion passed, 3 Aye – 0 Nay.

Township mail was opened and reviewed.

Motion made by Steen, seconded by Wesely to adjourn the meeting at 10:08 PM. Motion passed, 3 Aye  
– 0 Nay.

RESPECTFULLY SUBMITTED :

APPROVED :

Clerk, Scott Danelski

Vice-Chairman, Pete Steen