

Regular Monthly Meeting of the Windemere Township Board - November 12, 2020

The meeting was called to order at 6:31 PM by Chairman, John Wesely. Others present were Supervisors Heidi Kroening and Mark Dunaski, Clerk Scott Danelski, Treasurer Ron Mossberg, Road Maintenance Department Foreman Mike Buetow, and Clerk-Elect Cindy Woltjer. Absent Zoning Administrator Dennis Genereau. Also, in attendance six participants via Zoom.

CLERK'S REPORT :

The Clerk's October 2020 report was discussed. Motion made by Wesely, second by Kroening to approve the Clerk's October 2020 report as submitted. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

TREASURER'S REPORT :

Treasurer's October 2020 financial report was read. Motion made by Wesely, second by Dunaski to approve the Treasurer's October 2020 financial report as submitted. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

Windemere Township had \$561,099.26 in claim expenditures this month, of which \$507,934.96 are Road & Bridge Fund expenditures. The Road & Bridge Fund currently has only \$326,318.10 of funds available. Motion made by Wesely, second by Dunaski to approve exhausting the remaining \$326,318.10 available in the Road & Bridge Fund and pay the remaining \$181,616.86 in expenditures out of the Revenue Fund. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

Windemere Township received a letter from the IRS stating that the township was delinquent on funds payable for Windemere Township's mid-month payroll. Motion made by Wesely, second by Kroening to approve the Treasurer paying IRS expenditures on a payroll-basis. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

PUBLIC INPUT :

None.

OLD BUSINESS :

HARMONY LANE IMPROVEMENT PROJECT (TP 19-01) :

The Harmony Lane Improvement Project (TP 19-01) was discussed. Construction on the project was completed on October 19th, 2020. A final inspection was completed by Ben Anderson of Straightline Surveying and the Town Road Work Contract Completion Certificate was sent to Windemere Township on October 28th, 2020. The Contract Completion Certificate stated that the work completed on the Harmony Lane Improvement Project (TP 19-01) passed inspection and certified that all construction work was completed to the final specifications of the staking/grade sheets. Windemere Township will hold back 5% retainage (\$19,089.80) from the total \$381,795.00 invoiced by the vendor (Kiminski Paving) until random core-bore samples of the bituminous laid on Harmony Lane can be taken. Road Maintenance Foreman Mike Buetow to request quotes from Braun Intertec and Twin Ports Testing for the completing the core-bore samples.

WINDEMERE TOWN HALL MAINTANANCE :

Electrical maintenance of the Windemere town hall was discussed. Supervisor Dunaski stated that all electrical upgrades have been completed and the cost of the project was paid with CARES Act funds. Supervisor Dunaski also authorized the vendor (North Country Electric Enterprises, LLC) to complete some additional work inside the Windemere Shop and on the exterior lighting at the property. The cost of the additional work completed is less than the \$2500.00 and only required the approval from the Build Maintenance Supervisor Dunaski to be completed.

STURGEON ISLAND BRIDGE # R0726 :

The Sturgeon Island Bridge # R0726 was discussed. The Windemere Town Board held a special meeting on November 8th, 2020 at Doc's pavilion for the purpose of receiving input from the public on what type of structure should the township use to replace the current bridge structure. A vote of the residents attending the meeting showed the persons in attendance are in favor of replacing the current structure with Option #1 a Single-Span Timber Bridge w/ Timber Railings and Example #1 for the bridge structure cover.

Motion made by Wesely, second by Kroening to approve moving forward with replacing the Sturgeon Island Bridge (State Aid Project # 058-599-045) with Option #1, a Single-Span Timber Bridge w/ Timber Railings. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

Motion made by Wesely, second by Dunaski to approve moving forward with the engineering and design of the new Sturgeon Island Bridge (State Aid Project # 058-599-045) with the capability of supporting Example #1 for a bridge cover structure, which will be placed at a later date with a fund source that has yet to be determined. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

PROPERTY REASSESSMENT (PID # 33.0546.000 Located @ 34963 Laketown Road) :

The reassessment of property PID # 33.0546.000 located at 34963 Laketown Road Sturgeon Lake, MN (the former Dobo's Bar Property) was discussed. The tax-forfeited property went up for sale at Pine County's tax-forfeited land auction held on September 18th, 2020. The property was purchased by Jimmy Lee Kroon for \$12,000.00 with the stipulation that the purchaser would also be responsible for a Windemere Township assessment of approximately \$56,000.00. When tax-forfeited properties are auctioned, the County Auditor removes all current assessments and it is the township's responsibility to place the assessment back onto any property. For property PID # 33.0546.000, Windemere Township has until November 30th, 2020 to complete and record the new assessment with Pine County. A Hearing on Reassessment will take place at Saturday November 21st, 2020 8:30 AM located at the Windemere town hall. The total amount proposed to be reassessed is \$49,262.53.

GOOD-FAITH DISPUTE - ERICKSON ENGINEERING INVOICE #S 13110 & 13154 :

The good-faith dispute with Erickson Engineering regarding sub-par inspection services the vendor provided for the township on the Palon Road Improvement Project (TP 17-01) was discussed. Previously the Windemere Town Board had made a motion declining payment of Erickson Engineering Invoice # 13110 for \$13,387.89 and Invoice # 13154 for \$6936.08 totaling \$20,323.97 due to inadequate services provided. On October 21st, 2020 Erickson Engineering made a counter-offer to Windemere Township. Erickson Engineering is requesting a payment of \$6774.66, which is 1/3 of the \$20,323.97 total cost of invoice #s 13110 & 13154 in order to settle the good-faith dispute. The counter-offer would save the township \$13,549.01 in expenses. The Windemere Town Board believes this as a reasonable offer to settle the good-faith dispute which has the potential to possibly go to litigation if not settled. Motion made by Dunaski, second by Wesely to approve final payment of \$6774.66 to the vendor Erickson Engineering for invoice #s 13110 & 13154 for work they completed inspecting the Palon Road Improvement Project (TP 17-01). The payment of \$6774.66 will be the final settlement in the good-faith dispute between Erickson Engineering and Windemere Township. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

FINAL PAYMENT FOR THE PALON ROAD IMPROVEMENT PROJECT (TP 17-01) :

The final payment (retainage held back) for the Palon Road Improvement Project (TP 17-01) was discussed. Soil correction construction was completed by the vendor Casper Construction back in August 2020 and a final inspection of the project was completed by Erickson Engineering. A letter sent to Windemere Township from Erickson Engineering dated September 1st, 2020 stated that the work completed on the Palon Road Improvement Project (TP 17-01) passed inspection and certified that all construction work was completed to the final specifications of the staking/grade sheets. Motion made by Kroening, second by Dunaski to approve final payment of \$40,863.36 to the vendor Casper Construction for work completed on the Palon Road Improvement Project (TP 17-01). Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

RESOLUTION # 2020-11-12 GOVERNMENT RECORDS DEPOSITORY AGREEMENT :

Windemere Township Resolution # 2020-11-12 was discussed. Per Windemere Township Resolution # 2018-01 (Adopting of Minnesota Townships General Records Retention Schedule) the township may hand over records of significant historical value to the local Historical Society. Motion made by Wesely, second by Dunaski to approve Windemere Township Resolution # 2020-11-12 Government Record Depository Agreement, which is a cooperative agreement with the Pine County Historical Society and allows transfer of Windemere Township's historical records (TREASURE RECEIPT BOOKS (1904 - 1985), TREASURER REGISTER OF TOWN ORDERS (1893 – 1940), WINDEMERE TOWN RECORD BOOKS (1906 – 1930), CLERK RECORD OF RECEIPTS & DISBURSEMENTS AND TOWN RECORD MEETING MINUTES (1944 – 1959) over to the custody of the Pine County Historical Society. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

WINDEMERE TOWNSHIP PLANNING COMMISSION MEMBER APPOINTMENTS :

Appointments to the Windemere Township Planning Commission were discussed. Three vacancies on the Planning Commission are available due to two expired terms and one resignation. The Windemere Town Board received two letters of interest, one from Dianna Sandstrom and one from Cindy Carlson requesting to be reappointed to the Windemere Township Planning Commission. Motion made by Wesely, second by Kroening to reappoint Dianna Sandstrom and Cindy Carlson as members to the Windemere Township Planning Commission for a 3-year term each expiring in June 2023. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay. One vacancy remains on the Windemere Township Planning Commission and the Clerk will repost and publish for letters of interest.

WINDEMERE TOWNSHIP BOARD OF ADJUSTMENTS APPOINTMENTS :

Appointments to the Windemere Township Board of Adjustments were discussed. Two vacancies on the Board of Adjustments are available due to expired terms. The Windemere Town Board received two letters of interest, one from Clair Strandlie and one from Lawrence Martin requesting to be reappointed to the Windemere Township Board of Adjustments. Motion made by Kroening, second by Dunaski to reappoint Clair Strandlie and Lawrence Martin to the Windemere Township Board of Adjustments. Clair Strandlie's term will expire in June 2022 and Lawrence Martin's term will expire in June 2023. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

WINDEMERE TOWNSHIP PIT CROSS-SECTION / INVENTORY MANAGEMENT :

The class-5 gravel, recycled asphalt, and screened sand inventories at the Windemere Township pit were discussed. On November 4th, 2020 Straightline Surveying conducted an aerial cross-section survey of all Windemere Township pit inventory using a drone. The cross-section survey showed approximate pit inventories to be the following: Qty-14,917 Cubic Yard of Class-5 Gravel / Qty-1693 Cubic Yards of Recycled Asphalt / Qty-1689 Cubic Yards of Screened Sand. The completed cross-section information will be placed onto the township inventory control data sheets. The cross-section also verifies that Rydberg & Sons, Inc 2020 invoiced crushing quantities are accurate and their invoice can be approved for payment.

WINDEMERE TOWNSHIP MAINTENANCE BUILDING SECURITY ALARM SYSTEM :

The security alarm system in the township's maintenance building was discussed. Supervisor Dunaski was unable to contact the Pine County Sheriff since the last meeting. Chairman Wesely to investigate ordering some security signage for the Windemere township property. No Action Taken. Tabled until the December 2020 regular Board meeting.

NEW WINDEMERE TOWNSHIP LAPTOPS :

New laptop computers for Windemere Township were discussed. The township was able to purchase new laptop computers and software for \$9537.73 and the expenditures qualified for payment using the CARES Act Fund monies. The township has purchased seven Lenovo ThinkPad E15 laptop computers and software which will help enhance the township's infrastructure when the Town Board holds virtual meetings. Supervisor Kroening to solicit a quote for the setting up the computers and the installation of software onto the new laptops. The quote will be presented to the Board at the December 2020 regular Board meeting.

WINDEMERE TOWNSHIP 2021 BUDGET :

The Windemere Township 2021 Budget was discussed. The Town Board scheduled two meetings to begin discussion for the upcoming 2021 budget. The first meeting will be held on Tuesday December 8th, 2020 6:30 PM, and the second meeting will be held on Thursday December 17th, 2020 6:30 PM. Both meetings will be held at the Windemere Town Hall.

NEW BUSINESS :

PAYROLL CLAIMS SUBMITTAL DEADLINE :

A deadline for the submittal of township payroll claims was discussed. The clerk is requesting that all payroll claims be submitted by the 1st of each month and on the 16th of each month for those months that require two payroll cycles in order to be able to process the claims in a timely manner. MATs attorney Steve Fenske vetted the payroll deadline question and stated that it would not be considered a wage theft law violation if township employees or officers are not paid for a particular payroll cycle due to their lack of submitting a claim by the township's designated deadline. Motion made by Kroening, second by Dunaski to approve the setting of a payroll claim submittal deadline of the 1st of each month and also the 16th of each month for those months that require two payroll cycles. Failure to submit payroll claims by the designated claim submittal deadlines will constitute any individuals not get paid on that particular payroll cycle. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

ANCHORAGE PLACE CULVERT :

The placing of a culvert on Anchorage Place was discussed. Windemere Township will place a 6" culvert across Anchorage Place on the north side of the back driveway to property PID # 33.5808.000. Ground water in the area continues to surface and flows over the top of the roadbed, deteriorating the road and causing a safety hazard. Road Maintenance Foreman Mike Buetow explained the roadbed may have to be raised in that area due to the placement of the culvert and that there is the potential of the culvert freezing up throughout the winter due to the constant flow of water moving through it.

COVID-19 CARES ACT RELIEF FUND REPORT :

The COVID-19 Cares Act Relief Fund monies were discussed. The Town Board signed the CARES Act agreement Form and the CARES Act Funding Certification Form which made \$42,275.00 available to Windemere Township. These funds can be used for updates to our infrastructure that are necessary due to the effects of Coronavirus Disease (COVID-19). All funds qualified COVID-19 expenditures must be allocated by November 15th, 2020. Windemere Township was able to allocate \$14,207.73 of the \$42,275.00 CARES Act Funds towards qualified COVID-19 expenditures. New township laptop computers and software were purchased to increase the township's capability for holding virtual meetings for \$9,537.73, and the town hall's electrical system infrastructure was also upgraded to help with holding of virtual meetings at a cost of \$4,670.00. The remaining \$28,067.27 CARES Act Funds will be returned to Pine County. Ron Mossberg to complete final Local Government Expenditure Report and return the report to the Minnesota Management & Budget (MMB) Office.

AUDIT OF I.U.O.E. Local # 49 HEALTH & WELFARE FUND :

The upcoming audit to be conducted by Wilson-McShane Corporation for the International Union of Operating Engineers (I.U.O.E.) Local #49 Health & Welfare Fund was discussed. Auditor Leah Roushar of Wilson-McShane Corporation sent Windemere Township a letter dated October 20th, 2020 stating that they will be conducting an audit for the period of 7/2015 through 12/2019 and she will be contacting the township during the weeks of 10/26/20 through 11/20/2020. The following records are requested for the audit: 1) Individual Earnings Records, 2) Time Cards, 3) Quarterly 941's, 4) Quarterly SUTA Reports, 5) W-2s & W-3s, 6) 1099's & 1096's, 7) Monthly Remittance Reports. Windemere Township was last audited for this information by Wilson-McShane Corporation back in 2015 and they routinely conducted audits for I.U.O.E. Health & Welfare Fund every 3 to 5 years. The completion of this audit is required per subsection 4.5 (Production of Records) of the I.U.O.E. Master Contract. Supervisor Kroening contact Wilson-McShane and requested the township have until December 15th, 2020 to gather all requested documents and information. Clerk Danelski will gather all required time card records and Treasurer Mossberg will gather all remaining records requested by the audit firm. Leah Roushar of Wilson-McShane Corporation can be reached by phone at (218) 728-8323 or via email at lroushar@wilson-mcshane.com should questions arise regarding the audit.

CHANGING OF NOVEMBER 2021 WINDEMERE TOWNSHIP REGULAR BOARD MEETING DATE :

The changing to the November 2021 Windemere Township Regular Board Meeting date was discussed. Windemere Township holds each regular monthly Board meeting on the 2nd Thursday of each month. For the month of November in the year 2021, the second Thursday of the month falls on November 11th, 2021 which also happens to be the Veteran's Day Holiday. Per Minnesota State Statute 645.44 no township can conduct business on certain designated holidays, which include the Veteran's Day Holiday. Motion made by Wesely, second by Kroening to move the November 2021 regular monthly Board meeting from Thursday November 11th, 2021 to Wednesday November 10th, 2021 due to the conflict with the Veteran's Day Holiday as listed in Minnesota State Statute 645.44. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

TOWNSHIP SHOP HEATER :

The heater located in the Windemere Township Shop was discussed. In October 2020 the heaters in both the township shop and the township bathroom were not working. D & E Heating completed a service call and got both systems up and running, but they suggested the township should replace the hanging heater inside the shop. D & E Heating supplied Windemere Township with a quote for replacing the heater (Quote # 2470 totaling \$4017.50). Supervisor Dunaski to speak to D & E Heating and get an explanation as to why the heater needs to be replaced and to also solicit for additional quotes for a new heater. No Action Taken. Tabled until the December 2020 regular monthly Board meeting.

SNOWPLOWING ON SPELLS ROAD (PRIVATE ROAD) :

Chuck Swanson was present via Zoom to discuss the snowplowing of Spells Road after significant snow events. Spells Road is a private road and the township has not plowed snow on any private roads or driveways for many years due to the additional liability it places on the township. Windemere Township currently has approximately 49 miles of township roadways to clear and maintain. The township declines maintaining or clearing snow on Spells Road or any other private roads or driveways.

BOARD OF SUPERVISORS OTHER :

Chairman Wesely commented that now that the elections are over, Wesely plans on contacting Minnesota State Representative Mike Sudin and Minnesota State Senator Jason Rarick to once again ask for assistance in mitigating the high-water issues found in the township. Supervisor Dunaski to make contact with the Lakes Association Chair and also request their assistance in the matter.

Supervisor Kroening stated she has been working on a position description for a new township employee which would oversee the Windemere Maintenance Department to help with organization and increase efficiencies within the department. She plans to have the position description completed by the December 2020 regular monthly Board meeting and have the new position be a topic of discussion at next month's meeting.

ROAD UPDATE :

Road Maintenance Department Foreman Mike Buetow gave the monthly road update. All but four tasks of the 2020 road review priorities list have been completed. Buetow stated placement of a new culvert on North Partridge Road just north of Birchview Road, along with ditching along Birchview Road, Lakeview Road, and Marview Road were unable to be completed this fall due to the rented excavator needing to be returned to the vendor. Hot-Mix pavement patching was completed in late October on Island Lake Road, Sturgeon Island Road, and around the ends of township culverts where erosion was occurring. The ten tons of hot-mix used for the patching was donated to Windemere Township by Knife River Paving and has an approximate value of \$60.00/ton. Buetow stated most of the scrap located at the township pit had been picked up and once the ground is frozen the remaining culverts will also be picked up. Areas that will need to be looked at during the upcoming 2020 Fall Road Review include: Palon Road, Harmony Lane, Parkview Road, Sturgeon Island Road, Island Lake Road, and Lords Lane. Buetow requested Supervisor Dunaski to contact Pine County Engineer Mark LeBrun to obtain the engineered costs for Parkview Road and Sturgeon Island Road. Buetow also addressed the continued patching of Sturgeon Island Road and suggested the Board may want to look at hiring a vendor to crush and reclaim the existing bituminous on Sturgeon Island Road between Lakeland Road and Hill Street Road next spring. By reclaimed bituminous Sturgeon Island Road can be maintained better by just using the road patrol to blade the roadway smooth to make it less rough for the traffic.

ZONING UPDATE :

Supervisor Kroening gave the monthly zoning update. The Zoning Department has handled 100 + permits thus far for the calendar year 2020 and has received 10 additional permit applications requesting to complete grade & fill and shoreland restoration projects over the winter months. Zoning Administrator Dennis Genereau informed Supervisor Kroening that he received a complaint in regards to the placing of approximately 300' of pilings on a property located on Sturgeon Lake by Tom Anderson. The pilings are within the DNR jurisdiction and no permit was obtained from the DNR nor Windemere Township for the project. Genereau will be following up with Mr. Anderson in regards for failure to obtain the required permits. The township is also still waiting to hear back from the DNR regarding the situation.

PLANNING COMMISSION UPDATE :

The last Windemere Township Planning Commission meeting for the calendar year 2020 was held on Tuesday October 13th, 2020. Previous Windemere Township Planning Commission members Dianna Sandstrom and Cindy Carlson have been reappointed to the Planning Commission, and one vacant seat on the Planning Commission still remains to be filled. The remaining open seat will be reposted by the township for letters of interest. The upcoming 2021 Planning Commission meeting schedule has not been set yet and will be posted at a later time.

FIRE DISTRICT UPDATE :

Supervisor Dunaski gave the monthly Fire District update. Windemere Township had five calls for the month, three medical and two cancelled in-route calls. The Fire District stated that they would not be increasing their levy to Windemere Township for the upcoming 2021 year, but upon closer look at their 2020 to 2021 budget comparison report, it appears Windemere Townships levy will be increasing by \$850.00 from \$85,500.00 to \$86,350.00 a .0099% rate increase. Supervisor Dunaski to follow up with the Fire District at the December 2020 meeting as to the increase.

CLAIMS :

October 2020 claims were reviewed. Motion made by Wesely, seconded Kroening to approve the October 2020 claims as submitted. Approval of Payroll #s PAY-201022 & PAY-2011, EFT #s 20-37 through 20-40, Check #s 12710 through 12742, & Direct Deposit #s DD1298 through DD1310 for a total of \$561,099.26. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

TOWNSHIP MAIL :

Township mail was opened and reviewed.

ADJOURN :

Motion made by Wesely, seconded by Dunaski to adjourn the meeting at 9:11 PM. Roll Call Vote Taken: Wesely – Aye, Kroening – Aye, Dunaski – Aye. Motion Passed 3 Aye – 0 Nay.

RESPECTFULLY SUBMITTED :

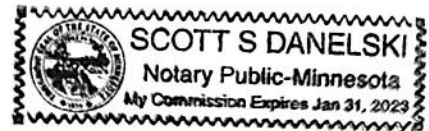


Clerk, Scott Danelski

APPROVED :



Chairman, John Wesely





Option 1 - Single-span timber

Erickson Engineering Co., LLC



Covered Bridge - Example 1

Erickson Engineering Co., LLC