

Meeting of the Windemere Township Board - November 14, 2019

The meeting was called to order at 6:32 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 October 2019 report was read. Motion made by Steen, second by Kroening to approve the Clerk's October 2019 report as submitted. Motion passed, 3 Aye – 0 Nay.

TREASURER'S REPORT :

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

PUBLIC INPUT :

Phill White was present to discuss the 2019 Christmas Party. Motion made by Steen, second by Wesely to approve the Windemere Township Old-Fashioned Christmas Party to be held on Saturday December 14<sup>th</sup>, 2019 from 3-5 PM located at the Windemere town hall and to approve a budget of \$250.00 to be used towards the party and advertising. Motion passed, 3 Aye – 0 Nay.

OLD BUSINESS :

BIOSOLIDS :

Craig Lincoln of the Western Lake Superior Sanitary District (WLSSD) was present to give a presentation on the spreading of biosolids. Others present from (WLSSD) were Paul Wilken, Todd McMillan, and Marianne Bohren. Mr. Lincoln began by giving a brief history of (WLSSD) which was created by the Minnesota legislature in 1971 to protect and improve the waters of the St. Louis River basin. (WLSSD) is a regional wastewater system that serves 17 communities and is nationally recognized leader in pollution prevention and wastewater treatment. Mr. Lincoln then explained that the (WLSSD) uses a two-stage biological process using bacteria to breakdown the sewer sludge/waste and wastewater into biosolids which is used for fertilizer and soil amendment on agriculture land and mine tailings land. During the process (WLSSD) heats the biosolids to 140 degrees to kill all pathogens. Biosolids distribution is split between 80% agricultural land use located in the counties of (Pine, Carlton, Southern St. Louis, and Douglas) and 20% use on mine lands.

The spreading of biosolids require a 1000' set-back from any public water supply and a 200' set-back from lakes, rivers, ponds, streams, wetlands, and grass waterways for surface applied biosolids, and a 50' set-back from lakes, rivers, ponds, streams, wetlands, and grass waterways if the biosolids are applied sub-surface. Biosolids may be applied to land annually, but are normally only applied by (WLSSD) every other year. At the conclusion of the presentation, (WLSSD) opened up for questions from the Board and constituents.

#### STURGEON ISLAND BRIDGE PRESERVATION COMMITTEE :

Supervisor Kroening gave an update on the progress of the Sturgeon Island Bridge Preservation Committee. A legacy grant has been completed and submitted to the State of Minnesota to try to secure funds for an analysis on the Sturgeon Island Bridge's eligibility to be considered for the National Register of Historic Places. The State of Minnesota to give the Preservation Committee their decision by January 2020. The Preservation Committee is trying to meet with MNDOT officials to learn more about securing a variance for the Sturgeon Island Bridge # R0726. The goal of the Preservation Committee is to have MNDOT officials visit the site prior to making their decision. Outreach has begun to local and state officials asking for their support to save the Sturgeon Island Bridge.

#### BALSAM ROAD BOX CULVERT # 58J43 (S.A.P. Project # 058-599-044) :

The work has been completed on the Balsam Road Box Culvert Project. Trapping has taken place to remove the beavers from the area.

#### HIGH-WATER LEVEL ISSUES :

The high-water levels of Windemere Township lakes were discussed. The Board is in the process of arranging a special meeting with Minnesota State Senator Jason Rarick, Minnesota State Representative Mike Sundin, Pine County Board of Soil & Water, Pine County, and the DNR to discuss the high-water problems and try to begin to start a plan to help alleviate the high-water issues. The special meeting is set to be held on Tuesday December 17<sup>th</sup>, 2019 7:00 p.m. located at the Windemere town hall.

#### BIRCHVIEW ROAD BOX CULVERT PROJECT # 58J49 (S.A.P. Project # 058-599-046)

The Birchview Road Box Culvert Project was discussed. Windemere Township qualifies for funding from MNDOT State Road & Bridge Fund to replace the culverts on Birchview Road with a box culvert. Pine County has presented a cooperative agreement contract State Aid Project (S.A.P.) # 058-599-046 for the Town Board to sign with Pine County to begin the process for the placing of a box culvert. By accepting the cooperative agreement contract, the township requests Pine County to act on their behalf to open bids, awarding of contracts, and complete the inspection of construction activities. Motion by Wesely, seconded by Steen to accept and enter into the Pine County/Windemere Township Cooperative Agreement Contract for State Aid Project (S.A.P.) # 058-599-046 for replacing the existing culverts on Birchview Road with a box culvert #58J49. Motion passed, 3 Aye – 0 Nay

RUSH BLVD BOX CULVERT PROJECT # 58J50U (S.A.P. Project # 058-599-047)

The Rush Blvd Road Box Culvert Project was discussed. Windemere Township qualifies for funding from MNDOT State Road & Bridge Fund to replace the culverts on Rush Blvd with a box culvert. Pine County has presented a cooperative agreement contract State Aid Project (S.A.P.) # 058-599-047 for the Town Board to sign with Pine County to begin the process for the placing of a box culvert. By accepting the cooperative agreement contract, the township requests Pine County to act on their behalf to open bids, awarding of contracts, and complete the inspection of construction activities. Motion by Wesely, seconded by Steen to accept and enter into the Pine County/Windemere Township Cooperative Agreement Contract for State Aid Project (S.A.P.) # 058-599-047 for replacing the existing culverts on Rush Blvd with a box culvert #58J50U. Motion passed, 3 Aye – 0 Nay

HARMONY LANE IMPROVEMENT PROJECT (TP 19-01) :

The Harmony Lane Improvement Project was discussed. Erickson Engineering presented the Windemere Board with the final plans for the Harmony Lane Improvement Project (TP 19-01) and also an estimated cost of \$421,746.00 to complete the project. Road Maintenance Road Supervisor Mike Buetow to have Pine County Engineer, Mark LeBrun, look over the final plans to give a second opinion on the estimated cost of the project. No action taken by the Board. Tabled until a later meeting.

2020 WINDEMERE TOWNSHIP BUDGET :

The 2020 Windemere Township budget was discussed. On Tuesday October 22<sup>nd</sup>, 2019 the Windemere Town Board held a special meeting and preliminary work on the township's 2020 budget began. Treasurer Ron Mossberg created an Excel spreadsheet showing the previous three year's expenditures and also a three-year average of expenditures to help the board supervisors set the budget. Comparisons were made of the 2019 budgeted costs versus the 2019 actual expenditures and a first draft of the 2020 budget was completed. Board Supervisors will work with each department to finalize costs for each department and a second meeting will be held on Monday December 2<sup>nd</sup>, 2019 5:30 p.m. to finalize the 2020 Windemere Township budget.

NEW BUSINESS :

CONFLICT OF INTEREST (TOWNSHIP ATTORNEY) :

The Windemere Township Zoning Department has been dealing with an individual over a zoning violation and have not been able to come to a resolution. A decision was made by the Windemere Zoning Department to turn the issue over to the township's attorney (Ledin, Hofstad, Troth & Fleming) to handle. However, there is a conflict of interest for the township attorney as they also represent the individual that has the zoning violation. The Board to contact attorney Bob Ruppe to handle the zoning violation.

#### PINE COUNTY ZONING BOARD APPOINTMENT :

The Pine County Zoning Board seat for the township's district was discussed. The current Zoning Board member from the district has expressed they do not want to be re-appointed to the seat which will expire on 12/31/2019. Pine County Commissioner, John Mikrot, has stated he would like to have someone from Windemere Township fill the vacant seat and Caleb Anderson from Pine County Zoning will be making a recommendation to the Board. Windemere Township Supervisor Heidi Kroening stated she is interested in filling the vacant seat.

#### ISLAND ROAD BOX CULVERT PROJECT :

The large culvert on the north end of Island Lake Road was discussed. A quote/proposal #19095 was received from Erickson Engineering for engineering costs for the project totaling \$19,300.00 and presented to the Windemere Township Board for review. The project was discussed with the Pine County Engineer, and Windemere Township qualifies for funding from MNDOT Road & Bridges fund to replace the existing culvert on north end of Island Lake Road with a box culvert. Windemere Township's total out-of-pocket costs for the box culvert project would be \$20,000.00; \$10,000.00 total cost towards the engineering of the project and \$10,000.00 total cost towards the construction of the project. No action taken by the Board. Tabled until the December 2019 monthly Board meeting.

#### 2020 WINDEMERE TOWNSHIP POLLING PLACE DESIGNATION :

Windemere Township's 2020 polling place designation was discussed. Minnesota State Statute 204B.16 requires townships to designate their polling place annually by December 31<sup>st</sup> for the next calendar year by ordinance or resolution. Motion by Steen, seconded by Kroening to adopt Windemere Township Resolution 2019-11-14 designating the Windemere Town Hall located at address 91546 Military Road Sturgeon Lake, MN as the township's annual polling place for the calendar year 2020 as per the requirements of Minnesota State Statute 204B.16. Roll-Call Vote was Taken. Wesely – Aye, Steen – Aye, Kroening – Aye. Motion passed, 3-0.

#### WINDEMERE TOWNSHIP 1<sup>st</sup> NATIONAL BANK RESOLUTION & SIGNATURE CARDS :

The signature resolution for Windemere Township and the 1<sup>st</sup> National Bank of Moose Lake was discussed. Due to new officers holding positions in Windemere Township, an updated resolution and signature cards was completed to allow the following individuals to sign claim checks for Windemere Township. Motion by Wesely, seconded by Kroening to approve Supervisors John Wesely, Pete Steen, Heidi Kroening; Clerk Scott Danelski; Treasurer Ron Mossberg; Deputy Clerk Rhonda Young; and Deputy Treasurer Paul Horgen as authorized signatures on Windemere Township claim checks per Minnesota State Statute 367.18. Motion passed, 3 Aye – 0 Nay.

#### PALON ROAD IMPROVEMENT PROJECT (TP 17-01) :

The Palon Road Improvement Project (TP 17-01) was discussed. An inspection of the road work completed by vendors on Palon Road was conducted by Windemere Township on August 14<sup>th</sup> and 15<sup>th</sup>, 2019 and it was found by the township that parts of the road project were not completed to specifications of the final plans. Email letters were sent to both vendors, Casper Construction and Erickson Engineering, explaining the results of the inspection and that Windemere Township was in a good-faith dispute with both vendors. The township held back funds for their invoices due to the issues found and asked that the vendors come up with a solution to remedy the good-faith dispute. Two months has passed and the township has yet to hear back from the vendor, Casper Construction. Erickson Engineering has had multiple phone calls with the township explaining they have also not heard back from Casper Construction, but would like to work with the township to remedy the good-faith dispute. Due to the lack of communication with the contracted vendor, the Board Supervisors would like to hold a special meeting on how the township wishes to proceed with the matter. Chairman Wesely to contact the township attorney, Kevin Hofstad, and Supervisor Steen to contact MATs attorney, Steve Fenske.

#### BOARD OF SUPERVISORS OTHER :

Supervisor Kroening stated she attended the Pine County Board of Commissioners special quarterly meeting for Local Government Officials on Tuesday October 29<sup>th</sup>, 2019. Supervisor Kroening stated that the meeting was primarily focus on farm economy and the future of agriculture in Pine County.

Chairman Wesely read aloud two thank you letters from the community. One from the Windemere Township Lakes Association regarding the completion of the Island Lake Outlet Channel Project, and one from Jill Richards regarding the Road Maintenance's quick response to road issues after the early October rain event.

#### ROAD UPDATE :

Road Maintenance Supervisor, Mike Buetow gave the monthly road update. All road projects were discussed earlier in the meeting.

Mike presented quotes to the Board for new tires for the backhoe. Three quotes were received from Junction Tire, Glen's Tire, and Bear's Port Town Tire. Motion by Wesely, seconded by Steen to approve the quote from Junction Tire of \$1064.00 for the purchase of two new tires for the township backhoe. Motion passed, 3 Aye – 0 Nay.

Mike presented a quote to the Board for the rental of a Boom Mower to complete brushing on in the township road R.O.W.s. One quote was received from Ziegler Rental with a weekly rate of \$2850.00 per week to rent a CAT 475 Boom Mower plus a \$400.00 freight cost each way to deliver the equipment. No action taken by the Board. Tabled until the December 2019 monthly Board meeting to look for a second quote for equipment rental.

ZONING UPDATE :

Zoning Administrator, Phill White gave the monthly zoning update. The Zoning Department handled 39 contacts with questions and issued 9 permits since last month for a total 75 permits issued thus far for 2019. The cold weather has locked the high-water level in place until spring. The Board held a special meeting on November 13<sup>th</sup>, 2019 with the Pine County Zoning Department to discuss future plans for the Windemere Township Zoning Department. The township is considering the idea opting-in to the county-wide zoning and turning over the responsibility to Pine County.

PLANNING COMMISSION UPDATE :

None.

FIRE DISTRICT UPDATE :

Chairman Wesely gave the Fire District update. Windemere township had six calls during the last period, all six were medical calls. The fire district would like to stay updated on the progress of the Sturgeon Island Bridge.

CLAIMS :

October 2019 claims were reviewed. Motion made by Wesely, seconded Kroening to approve the October 2019 claims as submitted. EFTs – 1929 through 1931, Checks - 12440 through 12468 & Direct Deposits - 1195 through 1200 for a total of \$40,640.26. Motion passed, 3 Aye – 0 Nay.

Township mail was opened and reviewed.

Motion made by Wesely, seconded by Steen to adjourn the meeting at 9:05 PM. Motion passed, 3 Aye – 0 Nay.

RESPECTFULLY SUBMITTED :

APPROVED :

Clerk, Scott Danelski

Chairman, John Wesely