

Regular Monthly Meeting of the Windemere Township Board - January 13, 2022

The meeting was called to order at 6:30 PM by Chair, Heidi Kroening. Others present were Supervisors Mark Dunaski & Tony Bakhtiari, Clerk Cindy Woltjer, Treasurer Ron Mossberg & Zoning Administrator Dennis Genereau.

Also, in attendance were 13 Windemere residents and 14 participants via Zoom.

REORGANIZATION OF TOWN BOARD :

Mark Dunaski nominated Heidi Kroening as Chair. Roll Call Vote Taken: Kroening – Aye, Dunaski – Aye, Bakhtiari - Aye. Motion Passed 3 Aye – 0 Nay. Heidi Kroening nominated Mark Dunaski as Vice Chair. Roll Call Vote Taken: Kroening – Aye, Dunaski – Aye, Bakhtiari - Aye. Motion Passed 3 Aye – 0 Nay. Other Supervisor assignments made were: Mark Dunaski – Roads and Crew, Heidi Kroening – Zoning and Environment and Tony Bakhtiari – Fire, Safety and Building Maintenance. Also named were Scott Danelski as Deputy Clerk and Paul Horgen as Deputy Treasurer.

CLERK'S REPORT:

Clerk Woltjer read meeting minutes from the December 9, 2021 Regular Meeting. A motion was made by Kroening, second by Dunaski to approve said minutes. Vote Taken: Kroening – Aye, Dunaski – Aye, Bakhtiari - Aye. Motion Passed 3/0. Minutes were then read for the January 4, 2022 Special Meeting. A motion was made by Kroening, second by Bakhtiari to approve said minutes. Vote Taken: Kroening – Aye, Dunaski – Aye, Bakhtiari - Aye. Motion Passed 3/0.

A motion was made by Dunaski seconded by Kroening to summarize the reading of the minutes at each meeting going forward. Vote Taken: Kroening – Aye, Dunaski – Aye, Bakhtiari - Aye. Motion Passed 3/0.

TREASURER'S REPORT:

Treasurer Mossberg gave the report for an overall December and 2021 annual overview with the final report to be given in March at the Annual Meeting. He stated that revenue for the year was over the estimate because of the ARPA money received, above receipts for zoning permits, a final payment on the Dobo property and property tax receipts higher than estimated. Motion made by Kroening, second by Bakhtiari to accept the Treasurer's financial report. Vote Taken: Kroening – Aye, Dunaski – Aye, Bakhtiari - Aye. Motion Passed 3/0.

PUBLIC INPUT:

The first resident gave kudos to the Board for doing a well run meeting on December 16, 2021 regarding the Sand Lake Resort Project. She also asked if there was any feedback from the meeting as of yet. And it was asked if another meeting on this issue has been scheduled.

The second resident had a comment about the Board of Adjustments member Henry Gretsfield and if he had a conflict of interest in the Sand Lake Resort Project. It was reported that he had already recused himself from the matter. The resident also asked about the road maintenance issue and had two concerns. One about the negotiations of the contract, is it newly negotiated or just a general extension of the same agreement that we already have. And second how do the numbers compare if it is decided to go with the contract model.

A third person was concerned if the road maintenance department was dissolved he felt it would not be as easy as some would think to get contractors to do the work citing several towns and townships that recently had difficulty finding workers for their roads.

A fourth resident made comments about the blight issue on Harmony Lane and also about a mobile home that was brought in without a permit. Zoning administrator Dennis Genereau will be working with the owner on getting the mobile home permitted.

There were no comments from Zoom participants.

OLD BUSINESS:

ARPA Update :

Supervisor Dunaski said he had been in contact with Kelly Schroeder, Pine County Treasurer regarding the ARPA money. Some updates have been made in how the township can spend the money. Some of the categories were: 1) Lost Revenue 2) Water, Wastewater & Stormwater 3) Supplemental General Revenue Expenditures 4) Internet, Technical, Zoom, Website. The main change was instead of a complicated formula to calculate what the money could be used for it was decided that if the township has revenue of less than \$10,000,000 it can keep all the money and put it in lost or general revenue. The money has to be spent or designated for something before 12-31-23 or the remainder must be returned. He also reported that MAT recommends using a resolution for spending this money and has supplied the templates to use for that purpose.

NEW BUSINESS :

Board of Adjustment :

Dennis Genereau explained the Board of Adjustment reviews variances within the township. It needs to have at least three and no more than five members on the board and they need to be residents of the township according to our Ordinance, Article VIII, Section 3. Three members of the Planning Commission expressed an interest in being on the Board of Adjustments. They are Cindy Carlson, Dianna Sandstrom and Dawson Gentry. Chairman Henry Gretsfield was asked to call a meeting to organize the Board of

Adjustment, but he cannot as he advised Administrator Genereau that he has disqualified himself because of a conflict of interest on a pending matter, so Mr. Genereau asked the township

board to call a meeting of the Board of Adjustment so that Board can prepare itself to hear matters, including the DNR's appeal of the Sand Lake Resort Project permit. A motion was made by Kroening, seconded by Bakhtiari to appoint the three members interested in being on the Board of Adjustment. Vote Taken: Kroening – Aye, Dunaski – Aye, Bakhtiari – Aye. Motion Passed 3/0.

Essentia Donation :

This was covered previously under ARPA Update.

Computer Issues :

Chair Kroening stated there were still problems getting the last two computers set up for use. She suggested Nathan, our IT person could purchase the MS Office licenses needed and bill us back directly for them. She would contact Nathan and move forward on this.

Road Maintenance Model/Union Contract :

Supervisor Bakhtiari stated that there was very good work being done on our township roads. He wants to be sure the township is spending its money wisely. He said there are two models to be considered; 1) to maintain the roads with our own employees and equipment and 2) a contractor model. It was his opinion that using the current model with updates to equipment and facilities would cost more than the contractor model.

Supervisor Dunaski mentioned that townships generally do not do their own contracting work in regard to paving and building their own roads. He also stated he has been in contact with several attorneys, including a professional labor attorney and our MATs attorney, the Board of Labor Relations and the Deputy Commissioner of the MN Board of Mediations. He agrees that the current labor agreement has its issues. He mentioned that just because we contract work out it doesn't mean the township can't also continue to do work with employees. He suggested that if the contract is cancelled outright that there should be further discussion about what the consequences would be.

Chair Kroening stated that there could be more than just two models to consider. She suggested reaching out to other townships with employees and the miles of roads they have to get their feedback as to why they chose to use the employee model. She then asked that they continue to do the research and be sure they compare 'apples to apples' before making a final decision.

Union Contract :

A motion was made by Bakhtiari seconded by Dunaski pursuant to Article 17 of the union agreement to notify the IUOE Local #49 of our intention to not renew our agreement effective July 1, 2022. Vote Taken: Dunaski – Aye, Bakhtiari – Aye, Kroening – Abstain. Motion Passed 2/0. It was stated that in terminating the contract in this way it is still in effect until June 30, 2022. On July 1, 2022 there is no longer a contract.

Board of Supervisors Other:

Chair Kroening explained that well testing for residents near the blighted property discussed at the December meeting could be made available. A consulting firm would have to be hired to test for specific contaminants at an approximate minimum cost to the township of \$250.

There was discussion about a venue for the upcoming Annual Meeting in March. It was decided to table a decision until the February meeting.

ROAD UPDATE :

Supervisor Dunaski reported that the repairs to the Sturgeon Island Bridge should be starting soon. He said he had been receiving calls about the sanding and salting of the roads. Complaints were too much sanding and salting being done. There was also a question about using calcium chloride on the roads for dust abatement. He suggested doing a few test roads this summer to see if it would be feasible.

ZONING UPDATE :

Zoning administrator Dennis Genereau reported already receiving permit applications for the 2022 season. He will be updating the permit form on the website. He also stated that he has been working with Attorney Scott Anderson on a proposal for updating the ordinance and asked that the board be willing to approve contracting with Mr. Anderson. Administrator Genereau noted that Mr. Anderson would be advising him on updates to the Township Ordinance in advance of presenting the draft ordinance to the planning commission and the public at an open hearing. Some of the areas to be addressed include the shoreland ordinance, incorporation of the comprehensive plan, and improvements to the enforcement provisions. He has started to map out problem areas in the township, including the identification of camper issues and blighted properties. Administrator Genereau also addressed controls related to mobile and modular homes. He explained that the township has to enforce the state code for the sale and installation of modular and mobile homes, and after contacting Herman Hudley at the Minnesota Department of Labor (MN DOL) it was discovered that the township needs to use a certified building official to do a final inspection report before any modular or mobile home can be permitted to be placed in the township or put up for sale. MN DOL will help him find a person to do this for the township. He then stated that there is a concern about meth homes and that he is not equipped to handle that issue but is willing to assist law enforcement if needed.

A motion was made by Kroening seconded by Dunaski to allocate up to \$7500 to Scott Anderson to work on updating the township ordinance. Vote Taken: Kroening – Aye, Dunaski – Aye, Bakhtiari - Aye. Motion Passed 3/0.

PLANNING COMMISSION UPDATE :

Commissioner Cindy Carlson said a special meeting will be scheduled in February.

FIRE DISTRICT UPDATE :

Supervisor Dunaski said he attended the meeting and reported that the taxation rate was increased by 2% which would be approximately a \$2700 a year increase to the township. He also stated that Osten Berg the

Moose Lake Fire Department Executive Director said he was willing to come to the annual meeting in March to explain these costs to the residents of Windemere Township. He then reported in 2021 the Moose Lake Fire Department had a total of 551 runs and that 167 of them were for Windemere Township with the majority of them being medical at 140.

Treasurer Mossberg then asked the board to approve the 2022 budget. A motion was made by Dunaski seconded by Bakhtiari to approve the draft budget as the official budget for 2022. Vote Taken: Kroening – Aye, Dunaski – Aye, Bakhtiari - Aye. Motion Passed 3/0.

It was then decided that a letter to the IUOE Local 49 would be drafted by Supervisor Dunaski after he contacts the attorney for guidance with the wording.

CLAIMS :

December 2021 claims were reviewed. Motion made by Kroening, seconded by Dunaski to approve the December 2021 claims as provided. Approval of EFT #s 21-47 & 21-48 along with EFT #s 22-01 through 22-04, Payrolls #PAY 211221 & 2201, Check #s 13019 through 13037, & Direct Deposit #s DD1441 through DD1452 for a total of \$18,159.22. Vote Taken: Kroening – Aye, Dunaski – Aye, Bakhtiari - Aye. Motion Passed 3/0.

TOWNSHIP MAIL :

Township mail was opened and reviewed.

Treasurer Mossberg asked that a date be set for the Board of Audit. It was decided on Tuesday February 15, 2022 at 6:30 at the township hall.

ADJOURN :

Motion made by Dunaski, seconded by Kroening to adjourn the meeting at 9:17 PM. Vote Taken: Kroening – Aye, Dunaski – Aye, Bakhtiari - Aye. Motion Passed 3/0.

RESPECTFULLY SUBMITTED :

APPROVED :

Clerk, Cindy Woltjer

Chair, Heidi Kroening