

Corrected
Copy

WINDEMERE TOWNSHIP, Pine County, Minnesota
91546 Military Rd., Sturgeon Lake, MN 55783
Town Board Meeting Minutes, July 13, 2023

1. **The Meeting was called to order at 6:31 pm** by Chairman Alan Overland. The meeting opened with the Pledge of Allegiance. **Present** – Supervisors Alan Overland, Heidi Kroening and Tony Bakhtiari; Clerk Cindy Woltjer; Treasurer Ron Mossberg; Zoning Administrator Dennis Genereau.
2. **The Agenda was distributed.** The agenda was approved.
3. **Clerks Report.** June,8, 2023 Minutes read by Clerk Woltjer. Corrections made. **Motion** by Bahktiari to approve the corrections to the June minutes. Second by Overland. Motion Carried. Clerk Woltjer read minutes for Special Meeting May 31, 2023 for Road Supervisor Supervisor and Assistant. **Motion** by Bakhtiari, second by Overland to accept minutes as read. Motion carried. Clerk Woltjer read minutes for a Special Meeting on June 22, 2023 for Road Issues and Spending. **Motion** by Bakhtiari to approve the Special Meeting Minutes with corrections, second by Overland. Motion Carried.
4. **Treasurers Report.** Mossberg presented the financial reports. **Motion** by Bakhtiari approve the Treasurers Report, second by Overland. Motion carried. The financial reports are posted on the township website.
5. **Public Input.** Clerk Woltjer discussed doing the monthly meetings minutes. Motion by Kroening for Clerk Woltjer to do the monthly minutes. No second. Motion dies. Public Input continued see number 12 below.
6. **Old Business**
 - a. **Road related Business and Clarification of Authorities.** Tree Clearing - Storm Damage: Kroening discussed invoice from Omar's and the costs for Tree Clearing which will very likely exceed the \$175,000 with is statutory limit under municipal contracting law. Discussion by Omar's John Korienek, stating there was no take offs available to estimate the remaining work. Currently Omar's has completed R.O.W clearing of 19 roads and delivered 84 truckloads of material to the Windemere pit. **Motion** by Overland; 1) Supervisors may not contact attorneys without prior board approval. 2) \$2,500 discretionary spending is not part of board policy; and 3) If urgent road related issues arise the road supervisor is authorized to contact the township attorney, second by Bakhtiari. Overland Aye, Bakhtiari Aye, Kroening Nay. Motion carried.
 - b. **Wood Chips at the Town Hall.** Kroening discussed having wood chips from the R.O.W. clearing be placed at Town hall. Omar's will deliver one load (5 yards) to a designated area at the Windemere Pit.
7. **New Business**
 - a. **Email Administration Update.** IT Director Mossberg updated the progress of email administration. It is still ongoing, waiting for the vendor to assist. Archiving of email accounts has not gone according to plan and Mossberg is working with the vendor to resolve the issues. It was noted the backup of emails is incomplete as one or more accounts have deleted all history. Because emails are government records, this is a serious matter that needs to be investigated and reviewed by legal counsel. Mossberg recommends the matter be reviewed by legal counsel. **Motion** by Overland to authorize contact with Attorney Couri to **discuss the mass deletion of email accounts, second by Bakhtiari.** Overland Aye, Bakhtiari Aye, Kroening Aye. **Motion carried.**
 - b. **Liquor License Renewals - Moose Lake Golf Club & Doc's Sports Bar & Grill.** **Motion** by Bakhtiari to approve the Liquor License renewals for Moose Lake Golf Club & Doc's Sports Bar & Grill, second by Overland. Overland Aye, Bakhtiari Aye, Kroening Aye. Motion carried.

c. **Noise Ordinance** Zoning Administrator Genereau has received numerous noise complaints (ATVs, boats, dogs, generators, loud music) and would like town board approval to direct the Planning Commission to draft a proposed Noise Ordinance. **Motion** by Bakhtiari to advise the Planning Commission to propose a Noise Ordinance, second by Overland. Motion carried.

d. **Board of Supervisor Other.** **Motion** by Bakhtiari to adopt a Road Ordinance for Obstruction in the ROW drafted by Attorney Couri, second by Overland. All voted in favor. Motion carried. Supervisor Kroening received email from property owner regarding storm cleanup expenses incurred by the owner and they were unaware of the township cleaning up storm debris at township expense. The property owner requested the township reimburse them for their expense cleaning up private property. Motion by Overland to deny the \$1,720 claim, refer the matter to road supervisor Bakhtiari. Bakhtiari Aye, Overland Aye, Kroening Abstain. Bakhtiari will contact property owner.

8. Road Update.

a. Bakhtiari discussed Completed/In Progress projects. **Completed Projects:** Road Sweeping, Anti-dust Application 12 miles, Town Hall Lot Graded, Sturgeon Island Bridge Tree Clearing, Inventory of Equipment for Auction Bill, Beaver Control on Balsam, Shoulder Work on North Palon Road. **Work in Process;** Ditching, South Military Rd Bridge Clean-out, Hill Street Shoulder Repair, Culvert Work, Mowing, Sign Audit/Inventory, Asphalt on Sturgeon Island Rd, Warbler, Asphalt Patching and Sealing as needed - Island Loop, Northstar and others as needed, Equipment Auction scheduled 8/29/23.

b. Road Supervisor Assistant Vern Anderson read a statement. "I do wish to be fully transparent and report the contents of the township phone that was turned over to the road supervisor and his assistant. The phone turned contained dozens of text messages and other data. A review of the messages results in the appearance that one of the purposes of the road coordinator position included harassment of the contractor and to overthrow the contractor model. The messages refer to contacts with attorneys, prearranged bar meetings; discussion of strategies; concocted accusations and the clerk's expressed hope that a certain citizen will give scathing public comments to address the a**holes."

9. **Zoning Update.** Zoning Administrator Dennis Genereau discussed the following:

a. **Camper Ordinance Permit.** 1.5 dozen permit applications handed out, none have been returned.

b. **Met with new DNR Area Hydrologist Nayere Ghazanfarpour. Site Visit and Other Actions or pending Activity** 1) Sand Lake Resort but legal agreement from lawsuit but not allowed to review shoreline because agreement wasn't signed by all related parties. Only Windemere Township has signed. 2) Sturgeon lake outlet on Getch property. 3) Moose Lake Golf Club needs to permit to run as a marina. Referred to DNR. 4) Sturgeon/Rush Lake Owners Association Landing needs repair. 4) Restoration Order on Sand Land issued. 5) Meeting with Dan Pietrick. 6) Non-conforming Lot(s) issue is explained on pages 62-64 of Township Ordinances. Request permission to speak with Jay Squires to review the ordinance and potential legal issues in the future from citizens. **Motion** by Overland to authorize Zoning Administrator Genereau to review the Non-Conforming Lot Ordinance with Attorney Squires, second by Bakhtiari. Motion carried.

c. **Permits:** 6 new permits, 2 pole buildings, 1 dwelling, 1 dwelling addition, 1 storage shed, 1 shoreline redo.

d. **Blight** 6 blights with photos referred to township attorney.

10. **Planning Commission.** Paul Horgen presented a letter from the planning commission urging the Board to move forward with the STVR Ordinance. **Motion** by Kroening to have a qualified attorney review the STVR Ordinance and to advise if a public hearing is required, second by Overland. Bakhtiari Aye, Overland Aye, Kroening Aye, Motion carried.

~~Motion carried.~~ Genereau will talk with attorneys to determine which one (Couri or Squires) would be the best choice.

11. **Fire District Update.** Bakhtiari reported 12 calls, 9 medical, 2 false alarms, 1 brush/grass fire.

12. **Public Input.**

- a. Amy Perrine commented.
- b. Dave Stachowiak commented.
- c. Rhonda Young commented.
- d. Ron Buetow commented.

13. **Review Claims**

a. **Motion** by Kroening to roll Road Supervisor Assistant hours over to next month if his hours exceed 25 hours per month, second by Bakhtiari. Motion carried.

b. **Claims:**

PAY23-07; EFTs: EFT 23-15, EFT 23-16, EFT 23-17
Checks # 13370 thru 13388
Direct Deposits: 1591 to 1598
For a total of \$152,541.70

Motion by Bakhtiari to approve claims, second by Kroening. Motion carried.

Treasurer Mossberg commented; 1) The MATIT Insurance invoice includes equipment we don't have. He recommended Bakhtiari or Anderson call insurance carrier to review the equipment and remove what the Township doesn't own and pay the claim as presented and hopefully there will be refund for sold equipment. 2) It was noted at least one contractor did not received prompt payment and the clerk was directed to promptly send out payments.

14. **Open Mail and Review.** Motion by Overland to authorize Supervisors to attend the legal seminar on September 16, 2023, at the Rutledge City Hall, second by Bakhtiari. Motion carried.

15. **Motion to Adjourn Meeting** at 9:17pm. Motion by Bakhtiari, second by Overland.
Motion Carried

Submitted by Recorder Amy Perrine: Amy Perrine (Rev 10/12/23)

Clerk Woltjer: _____

Approved by Alan Overland, Chairman: [Signature]