Meeting of the Windemere Township Board - February 14, 2019

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

CLERK’S REPORT :

The Clerk’s report was read and corrected. Motion made by Wesely, second by Kirkeby to approve Clerk’s January 2019 report. Motion passed, 3 Aye – 0 Nay.

TREAURER’S REPORT :

Treasurer’s report was read. Motion by Wesely, seconded by Kirkeby to approve the Treasurer’s January 2019 report. Motion passed, 3 Aye – 0 Nay.

OLD BUSINESS :

ROAD MAINTENANCE POLICY :

The Windemere township road maintenance policy regarding the maintenance of township culverts, road ditches, R.O.W. brushing & tree removal, snow plowing routes, and the annual road review was discussed. Motion by Wesely, second by Steen to approve the Windemere Township Road Maintenance Policy Dated 2-14-19. Motion passed, 3 Aye – 0 Nay.

ISLAND LAKE OUTLET CULVERTS :

An update was given on the Island Lake outlet culverts. Chairman Steen was contacted by Jill Carlier from the Pine County Soil & Water Conservation District (SWCD) and she stated that after further discussions with the Minnesota DNR, the Island Lake outlet culvert removal project will be completed in the spring or summer months rather than the winter months of 2019.

PALON ROAD :

An update was given on the Palon Road Improvement Project (TP 17-01) by Tom Wilson and Scott Connor of Erickson Engineering. Erickson Engineering explained that construction was suspended on November 15th, 2018 due to the weather and that the contractor (Casper Construction) had completed approximately 1 mile of the 1 ½ mile long road project installing the geotextile fabric and 9” of compacted class-5 gravel. Seven corrugated metal center-line culverts have been replaced with reinforced concrete culverts and when Phase 1 of the project is complete, Palon Road’s surface will be approximately 30’ in width. When Phase 2 of the project is completed, the design calls for Palon Road to have a 22’ wide paved surface and 3’ shoulders on each side of the road.

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Erickson Engineering explained that there was a mis-interpretation of the designed plans and that approximately 1 mile of the project was completed with an additional 9” of sub-cut to the grading grade. The designed plans called for the trucking in common borrow soil (approximately $35,000.00 worth), but due to the mis-interpretation of the sub-grade elevation, excess soil was available and no additional common borrow was needed. Erickson Engineering explained that even though there are additional excavation costs incurred, the common borrow cost was eliminated due to the error, and the end result is that the township is saving approximately $11,000.00 on the overall cost of the project.

Dave Arneson was present and posed a question regarding rumors that the Windemere township’s Road Maintenance Workers had completed work incorrectly and as a result caused additional work and cost for the road contractor (Casper Construction). Erickson Engineering responded that the error was on the engineering firm, the staking contractor, and the road contractor and there was no fault on the part of the Windemere Township Road Maintenance Department employees.

Vern Anderson was present and asked a question regarding the total cost of the Palon Road improvement project and why the township employees completed the work on the soft spots in Palon Road. Erickson Engineering stated that it is hard to identify trouble (soft spots) in the road during the design phase of a project and it was decided to make the soft spot corrections during the construction phase when they are more easily identifiable.

In 2014 American Engineering & Testing was hired to do a report for several Windemere township roads, Palon Road included, and completed soil boring to give a soil and geotechnical analysis of the roads. American Engineering & Testing recommend sub-cutting 2’ for the entire length of Palon Road and replacing sub-cut material with select granular material and then capping with class-5 gravel. Using the line item unit costs listed on the awarded Palon Road contract bid, the additional cost over-and-above the $784,500.00 total project bid, would have been in excess of $450,000.00 to eliminate all soft spots by the contractor (Casper Construction) by sub-cutting the entire road during Phase 1 of the Palon Road Improvement Project (TP 17-01).

Road Maintenance Supervisor, Mike Buetow, was present and stated he believes that Palon Road should have an additional 6” of class-5 gravel placed on Palon Road giving it a total of 15” of road base. Erickson Engineering explained that if the township adds an additional 6” class-5 gravel to the road, it would give Palon Road the same strength as a road that had the entire road sub-cut 2’ and select granular material brought in. This is due to class-5 material being stronger that select granular material.

John Menke was present and stated that our township, and its road maintenance employees, seem to be making good recommendations as to how Palon Road can be improved at a cost less than what was originally recommended by American Engineering & Testing.

Ben Anderson from Straight-Line Surveying was present and stated that because line item costs on contractor’s bid are set in the contract, the township is in a favorable position to know what all construction costs will be going forward This allows them be able to make the best decision proceeding with the Palon Road project at the least cost to the township.

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NATIONAL FLOOD INSURANCE PROGRAM (NFIP) :

An update was given on the National Flood Insurance Program (NFIP). Zoning Administrator, Phil White, was present and stated that Windemere township currently does not have any ordinances regarding flooding. Phil stated that he contacted the State of Minnesota as well as the Pine County Soil & Water Conservation Board (SWCB) and stated that Pine County has a flood insurance program in place which includes all incorporated and all non-incorporated property within Pine County. Phil inquired as to if this includes Windemere township and inquired as to if the township can piggy-back onto Pine County’s flood insurance program and not have to extend our zoning ordinances to comply with FEMA’s flood ordinances. Phil stated that if Windemere township opts into (NFIP) it will drastically change our shorelines and what structures can and cannot be built. Also, once the township gets designated in the flood plain, the flood plain will be noted on individual abstracts when people go to sell their properties. Currently there is only one other township in Pine County that is considering joining (NFIP) which is Pokegama Township.

SPEED LIMITS :

An update was given on the speed limits of township roads. Chairman Steen received an email on 2/14/19 and did not have time to investigate further prior to the February monthly board meeting. Tabled for discussion until the March 2019 monthly board meeting.

STURGEON ISLAND BRIDGE :

An update was given on the Sturgeon Island Bridge. The special public hearing meeting cancelled on February 7th, 2019 has been rescheduled for Thursday February 28th, 2019. Postings of the public hearing meeting will be published in the Star Gazette and Evergreen papers and placed onto the township website.

POLICIES :

An update was given on the writing of township policies as recommended by the external auditor. Clerk Danelski is finalizing the inventory control spreadsheets and Chairman Steen volunteered to begin work on the drafting of the Personnel Policy. Dennis Genereau was present and offered his assistance in providing some policy templates as he has worked with policy writing for Carlton County.

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NEW BUSINESS :

TOWNSHIP ROAD T-756 :

James Kaffer was present to discuss the access to property PID # 33.0784.000 due to a private property dispute he is having with his neighbor. Mr. Kaffer stated that the access to the property is an old township road, T-756, which runs due North from the current intersection of Dago Lake Road & Dobosenski Road. Mr. Kaffer presented documentation to the Board of Supervisors showing that the access in question was indeed previously a township road. Township road T-756 has been abandoned by the township as there has been no maintenance conducted on T-756 for over 25 years. Mr. Kaffer claims that while the road is abandoned, it has not been vacated and should still be designated as a township road per Minnesota State Statute 160.09. Township roads can only be vacated by a vote of the electorates and a resolution be passed vacating the road, Minnesota State Statute 164.06. The township clerk will conduct some research to see if township T-756 was ever vacated by Windemere township and recorded with Pine County and also contact the previous town clerk for information. Tabled until a later meeting.

MOOSE LAKE WINDEMERE SANITARY SEWER DISTRICT :

The appointment of a Windemere Township member to the (MLWSSD) was discussed. Motion by Wesely, seconded by Kirkeby to appoint Clair Strandlie as a Windemere Township member of the (MLWSSD) for a 4-year term that expires January 1st, 2023. Roll call vote taken, Steen Aye, Wesely Aye, Kirkeby Aye.

WINDEMERE PINE COUNTY ASSESSMENT AGREEMENT :

An assessment agreement between Windemere Township and Pine County was discussed. The agreement states that Windemere Township, which constitutes a separate assessment district, agrees to have the township’s property assessed by Pine County Assessor. In consideration for those services Windemere Township agrees to pay Pine County the sum of the number of parcels times $9.25/parcel for the first year (2020) and $9.50/parcel the last two years (2021 & 2022) of the agreement. The township clerk to conduct research on the assessment agreement and tabled until the March 2019 monthly board meeting.

TRANSFER OF FUNDS :

Transfer of township funds was discussed. The township Treasurer requested that the Board of Supervisors transfer $5000.00 from the First National Bank of Moose Lake checking account to the US Bank Money Center Capital Improvement Fund account to meet the minimum investment amount of $100,000.00. Motion by Steen, seconded by Wesely to transfer $5000.00 from the First National Bank checking account into the US Bank Money Center account. Motion passed, 3 Aye – 0 Nay. The passed motion is not a conflict of interest for Supervisor Wesely.

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2020 TOWNSIHP LEVY RECOMMENDATION :

The 2020 Windemere Township levy recommendation was discussed. The township Treasurer presented to the Board of Supervisors a recommendation of $400,00.00 open to all funds based on the 5-year township spending forecast and the approved line-item budget for the calendar year 2019. Motion by Steen, seconded by Wesely to approve the $400,000.00 2020 levy recommendation to be presented to the township electorate at the annual meeting held on March 12th, 2019. Motion passed, 3 Aye – 0 Nay. Dennis Genereau was present and requested that additional research by conducted on what the potential financial impact could be on Windemere township regarding the on-going MN Tax Court cases and utility companies.

WINDEMERE TOWNSHIP ANNUAL ELECTION :

At the last township meeting held March 13th, 2018 a constituent raised the question about who would be presiding over the March 2019 monthly board meeting now that our monthly board meetings fall on the second Thursday of each month and will take place after the Annual Township Meeting and Elections. Should the elected positions change on March 12th, 2019 they will not go into effect until the April 2019 monthly board meeting as election results are not official until after the 10-day canvassing period.

TOWNSHIP EMAIL ADDRESSES :

Windemere township email addresses were discussed. The clerk requested additional email addresses be purchase due to the changing of roles in the Zoning Department and the lack of enough email addresses for all township employees. Motion by Wesely, seconded by Kirkeby to approve the purchase of 4 additional email address for Windemere township and to have LowVolts, LLC remain as the administrator of the township’s email. Motion passed, 3 Aye – 0 Nay.

MOOSE LAKE AREA HISTORICAL SOCIETY :

The Moose Lake Area Historical Society was discussed. The MLAHS sent a letter to Windemere Township requesting the write a letter of support for the MLAHS proposal for a potential bonding bill requesting funding from the Minnesota Legislature to further the MLAHS mission. Motion by Steen, seconded by Kirkeby for Windemere township to write a letter of support for the MLAHS. Motion passed, 3 Aye – 0 Nay. Chairman Steen will write the letter of support.

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CLOSE BOND FUND :

The Windemere Township Bond Fund was discussed. The township Treasurer stated that the last principal payment on the township’s bond was paid and the township is officially debt-free. The Treasurer is requesting the Board of Supervisors transfer the remaining balance left in the Bond Fund to the Road & Bridges Fund. Motion by Steen, seconded by Wesely to transfer the approximately $23,500.00 remaining balance from the Bond Fund into the township Road & Bridges Fund. Motion passed, 3 Aye – 0 Nay. Once the Bond Fund is closed Windemere Township’s three remaining fund accounts will be Revenue (Acct #100), Roads & Bridges (Acct # 210), and Capital Improvement (Acct # 241).

UTILITY PERMIT :

A utility permit has been applied for by Century Link Telephone requesting permission to excavate inside Windemere Township road R.O.W. along Island Lake Road going south approximately 50’ from County Road 10 to an existing utility node. The permit was presented to the Zoning Department for processing.

WINDEMERE TOWNSHIP ROAD RIGHT-OF-WAY (R.O.W.) PERMISSION FORM :

A Windemere Township Road R.O.W. Permission Form was discussed. The township attorney drafted a R.O.W. permission form which is to be use when the township is conducting mowing, brushing & tree clearing and other routine maintenance along the township road R.O.Ws. Chairman Steen read the permission form aloud to the audience. Motion by Steen, seconded by Wesely to approved the Windemere Township Road R.O.W. permission form dated 2/14/19. Motion passed, 0 Aye – 0 Nay.

PLANNING COMMISSION :

The vacancy on the Windemere Township Planning Commission was discussed. There is a vacant position on the Planning Commission due to Phil White’s resignation. Motion by Steen, seconded by Wesely to post and publish that Windemere Township will be accepting letters or emails of interest for the vacant position on the Windemere Planning Commission through March 11th, 2019 (5 PM). The clerk to post onto the township website and publish in both the Star Gazette and Evergreen papers.

OTHER :

Supervisor Wesely stated that Joe Jamros had approached him asking if the township would be interested in receiving an AED for the township. The AED would be a no cost to the township. Supervisor Wesely to gather additional information and invite Joe Jamros to the March 2014 monthly meeting to give a presentation about the AED.

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ROAD UPDATE :

The monthly road update was given by Road Maintenance Supervisor, Mike Buetow. Mike spoke to the Pine County Engineer, Mark LeBrun, and stated that Pine County would be willing to complete all the engineering, placing the projects out for bid, and inspection of the construction for the Parkview Drive and Sturgeon Island Road projects at no cost to Windemere Township. Mike to contact Pine County and have them proceed with the projects. Surveying is proceeding by Straight-Line Surveying on the Harmony Lane improvement project and Erickson Engineering is working on how the direct the water away from Harmony Lane.

ZONING UPDATE :

Zoning Administrator, Phil White gave the monthly zoning update. There three permits applications submitted during January 2019, a garage, a dwelling, and a garage addition.

PLANNING COMMISSION UPDATE :

No update given at this time.

FIRE DISTRICT UPDATE :

The monthly Fire District meeting was held on Tuesday February 12th, 2019. Windemere township had four calls during the last period, all for motor vehicle incidents. Supervisor Wesely stated that Osten Berg offered to attend the 2019 Windemere Township Annual Meeting to represent the Fire District.

PUBLIC INPUT & RESPONSE TO MEETING GIVEN :

John Menke was present and inquired as to if something could be posted regarding the candidates running for Windemere township elected positions. The township clerk will post the names and contact information of the candidates running for office as well as the ballot question posed on the upcoming March 12th, 2019 election ballot onto the township website. John also stated he would like someone to reach out to our new senator, Jason Rarick. Supervisor Wesely will reach out and try to make contact with Mr. Rarick.

Vern Anderson was present and inquired if the new road maintenance policy had a section regarding ice and snow removal. Chairman Steen stated that is did not. Vern asked if the Road Supervisor could speak to the Road Maintenance Department regarding the amount of salt that is being place on Sturgeon Island Road.

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Ron Buetow was present and spoke about recent publishing regarding the annexation of Windemere Township by the City of Moose Lake. Mr. Buetow stated he spoke to Mayor Ted Shaw of Moose Lake who stated that there is no attempt to try to annex Windemere township into the City of Moose Lake. Mr. Buetow asked Chairman Steen if there was to be an attempt of annexation, what would be his position. Chairman Steen stated I am against annexation of Windemere Township.

CLAIMS :

January 2019 claims were reviewed. Motion made by Steen, seconded Wesely to approve January 2019 Claims as submitted. EFTs - 1904 through 1905, Checks - 12175 through 12210 & Direct Deposits - 1135 through 1139 for a total of $32,614.75. Motion passed, 3 Aye – 0 Nay.

Township mail opened and reviewed.

Motion made by Wesely, seconded by Kirkeby to adjourn the meeting at 9:57 PM. Motion passed, 3 Aye – 0 Nay.

RESPECTFULLY SUBMITTED : APPROVED :

Scott Danelski, Clerk Pete Steen, Chairman

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