

Meeting of the Windemere Township Board - January 9, 2020

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 December 2019 report was read. Motion made by Steen, second by Wesely to approve the Clerk's December 2019 report as submitted. Motion passed, 3 Aye – 0 Nay.

TREASURER'S REPORT :

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

COMMENTS :

Treasurer Ron Mossberg requested from the Chairman to be able to address the Board and the audience and to make some general comments. Treasurer Mossberg stated that debate is desired, but can we work to achieve healthy debate amongst the citizens? Can we debate and disagree without being disagreeable? Treasurer Mossberg stated that he would like to be a part of that debate and encourages everyone to debate ideas and not go into the personal attacks. Mossberg also spoke of leadership traits, initiative and trust. He hopes he has gained trust from the taxpayers as well as gained respect from the Board even if they agree to disagree on some items from time to time. His goal is to put the taxpayer first and to seek clarity and transparency. Ron apologized if in the past he has been over-zealous in his pursuit of efficiency at the sake of civility and healthy argument. Ron agrees that we can do better and work better as a team in the future and he will make it his personal goal in 2020 to speak truthfully and respectfully to everyone.

Supervisor Kroening then made some comments in regards to the January 2nd, 2020 meeting. Prior to the January 2nd meeting, an individual approached the Board very upset and asked if the Board had the right to hold this meeting, or even a right to listen to the concerns. The Board of Supervisors has the right to hold a meeting on any topic, however meetings need to have purpose and they need to have an outcome. After having time to reflect on the individual's question, she stated that while the Board had the right to hold the meeting, maybe the question should have been whether the Board should have held the meeting.

After hearing both Mr. Buetow's and Treasurer Mossberg's presentations and the Board's response to Treasurer Mossberg's presentation, Kroening stated that in her opinion, there seemed to be some confusion on certain claims and some ambiguity to decisions made regarding those claims. While there was some confusion regarding those claims, the claim issues were clarified and rectified, and the end result was they were corrected and the issues resolved months ago. Kroening stated that the Board of Supervisors exist to make decisions regarding township business, not to shame either employees or elected officials. The January 2nd, 2020 meeting did not have an actionable item, and the meeting had nothing to correct or address.

Chairman Wesely made a comment that when this issue was first brought up, it was the Board's intent to hold a closed meeting with all the parties involved and to have a discussion regarding the events that had occurred involving the past claims. But due to open meeting laws, a closed meeting could not be held, and it was necessary for the meeting to be held open to the public. Chairman Wesely stated that in hind-sight, he wished the Board would have cancelled the meeting. Chairman Wesely apologized to Treasurer Mossberg and stated he believes that Ron does a fantastic job as the township Treasurer. Wesely stated he talked to MATs attorney Steve Fenske and Fenske made it clear that it is not the Board's job to be judge and jury, and that is why no decision was made during the meeting held on January 2nd. Chairman Wesely stated he agrees with Supervisor Kroening that the issue should be dropped and no further comments made regarding the topic.

Supervisor Steen commented and also apologized to Treasurer Mossberg. He too stated he thought the meeting could be held closed to allow the parties to discuss the issues. He is also hopeful that the township learns from the experience and can move forward and in the future have healthy debate.

Motion by Kroening, seconded by Wesely to drop the entire issue of allegation of contract discrepancies and wages brought by Road Maintenance Employee Mike Buetow and nothing further be looked into in regards to any confusion that may have happened regarding the past township claims discussed at the township meeting held January 2nd, 2020 as all claim payments had been made correctly.

Motion passed, 3 Aye – 0 Nay.

PUBLIC INPUT :

None.

OLD BUSINESS :

STURGEON ISLAND BRIDGE PRESERVATION COMMITTEE :

Nothing new to report.

LEGAL SERVICES :

Additional legal services needed by the township were discussed. Due to a conflict of interest for the township's attorney, Windemere township must hire a different law firm to handle a township zoning violation. Motion by Wesely, seconded by Steen to hire the legal firm Couri & Ruppe, P.L.L.P. to handle the township zoning violation which is a conflict of interest for the township's regular attorney. Motion passed, 3 Aye – 0 Nay.

ZONING DEPARTMENT :

The township's zoning department was discussed. A special meeting is scheduled for Tuesday January 21st, 2020 6 PM with the Windemere Township Board, the Windemere Township Zoning Department, and Pine County Zoning Land & Resource Manager Caleb Anderson to discuss Windemere township possibly opting-in to a county-wide zoning ordinance. By opting-in to county-wide zoning, all township zoning ordinance permitting and enforcement would be handled by the Pine County Zoning Department rather than at the township level.

NATIONAL FLOOD INSURANCE PROGRAM (NFIP) & FEMA MAPPING :

Windemere Township's enrollment into the National Flood Insurance Program (NFIP) and Federal Emergency Management Agency (FEMA) floodplain mapping was discussed. Supervisor Kroening met with Minnesota Department of Natural Resources State Floodplain (NFIP) Manager Ceil Straus on December 31st, 2019 to discuss the topics.

Straus stated that Windemere township is not currently enrolled under the National Flood Insurance Program (NFIP) and only the river running along the southern portion of the township has been currently mapped as being in a floodplain. Straus suggested that Windemere Township should join Pine County in regards to flood insurance rather than enroll on our own as a township. There is no cost to the township to enroll into the insurance program under Pine County, and only a motion is needed to join the program. Another advantage to enrolling under Pine County is it gives citizens the opportunity to voluntarily opt-in and obtain flood insurance. Currently no one has that option, unless the property is currently in a specific already mapped floodplain zone. If the township chooses to enroll with the county and the township finds that it is not the correct option for the township, the township may also opt-out of the county's insurance program at any time with a motion. However, once the township adopts their own program, then it will always be the township's responsibility.

If the township were to enroll under Pine County's insurance program the township does not immediately need to have an area mapped by FEMA to show floodplain zones. Advantages of mapping are it provides other options for potential Federal monies and grants or State funding in regards to flooding. However, after the area is mapped as being located in a floodplain zone, the property owners lose their option to be able to voluntarily obtain flood insurance and all of floodplain zoned properties would be required to carry flood insurance.

Those properties would also be shown to be located inside of a floodplain zone. If enrolled, Pine County would administer the enforcement of buildings and structures being in compliance with the flood insurance requirements.

The only down-side to enrolling into the County's flood insurance program right now is that those individuals who are currently dealing with a flooded situation cannot access the flood insurance until their current situation has been mitigated and the waters recede. The Board to review the information provided and the topic is tabled until the February 2020 regular Board meeting.

HIGH-WATER ISSUE & FEASIBILITY STUDY :

Supervisor Kroening sent emails to Minnesota State Senator Rarick and Minnesota State Representative Sundin following up with them after the special high-water meeting held on December 17th, 2019. Both were very responsive and both stated they were not going to let the issue drop. Representative Sundin sent an email stating that they are looking into applying for Legislative-Citizen Commission on Minnesota Resources (LCCMR) monies or some other option to pay for the feasibility study needed to see if a viable option can be found on what to do with the high-water in the area.

Pine County however is not ready to provide any monies for the funding of the feasibility study at this time as they stated they need more information. Their concern is that if they provide funding to Windemere Township then would they also need to provide additional funding to other areas in the county that are also experiencing the same issues. Once more information is gathered, the Pine County Board has requested someone to come down and give a presentation about the high-water issues. The feasibility study is needed to help provide a long-term solution to the high-water issues. Kroening stated that the feasibility study does not provide any short-term solutions for those individuals who are currently flooded and stated it was strongly indicated to her that there would be no pumping of water out of the lakes at this time.

PALON ROAD IMPROVEMENT PROJECT (TP 17-01) :

The Palon Road Improvement Project (TP 17-01) was discussed. A special/closed meeting is scheduled for Wednesday January 15th, 2020 6 PM with the Town Board, Clerk, and Township Attorney to discuss options to resolve the issues found during inspection of the Palon Road Improvement Project (TP 17-01) and getting those issues addressed by the contractor (Casper Construction) and the engineering firm (Erickson Engineering).

HARMONY LANE IMPROVEMENT PROJECT (TP 19-01) :

The Harmony Lane Improvement Project (TP 19-01) was discussed. The project was let out for bids by Erickson Engineering and the sealed bids will be opened at a special meeting scheduled to be held on Tuesday February 25th, 2020 6 PM.

ISLAND LAKE BOX CULVERT :

Tabled until a later meeting.

NEW BUSINESS :

WINDEMERE TOWNSHIP ROAD MAINTENANCE DEPARTMENT EMPLOYEE CONTRACT :

The new proposed Union Contract that will replace the existing expiring Union Contract of Windemere Township Road Maintenance Employees was discussed. The Board has agreed on the final contract language edits and Chairman Wesely will send the information to International Union of Operating Engineers (I.U.O.E.) Local #49 business agent Dan Manick to compose the final draft of the new contract. It is the Board intent to make a motion to approve the new contract and sign it at the February 13th, 2020 regular Board meeting.

BOARD OF SUPERVISORS OTHER :

A special meeting for the 2019 Board of Audit was set for Tuesday February 25th, 2020 6:30 PM.

ROAD UPDATE :

Supervisor Steen gave the monthly road update. The Maintenance Department have been out on the township's gravel roads with the grooved moldboard on the road grader etching the roads to help alleviate the very icy road conditions.

ZONING UPDATE :

Zoning Administrator, Phill White gave the monthly zoning update. The Zoning Department handled 9 new contacts with questions and issued zero permits since last month. There was a grand total of 77 zoning permits issue during 2019. The County Coalition of Lakes Associations (COLA) will hold a meeting on Friday January 17th, 2020 9:30 AM at the North Pine County Government Center located at 1602 Hwy 23 Sandstone, MN to discuss aquatic invasive species and to give Lake Association updates. Lakes Gas Company is looking at installing a 30,000-gallon propane tank on Majestic Pine Drive. The Zoning Department referred them to the Minnesota Pollution Control Agency (MPCA) – Tanks Division and the Minnesota State Fire Marshal.

PLANNING COMMISSION UPDATE :

Clair Strandlie gave the Planning Commission update. The next meeting of the Windemere Planning Commission will be held on Tuesday April 14th, 2020 6:30 PM at the Windemere town hall located at 91546 Military Road Sturgeon Lake, MN

FIRE DISTRICT UPDATE :

No update this month, this month's Fire District Meeting will not be held until next Tuesday January 14th, 2020.

CLAIMS :

December 2019 claims were reviewed. Motion made by Steen, seconded Kroening to approve the December 2019 claims as submitted. EFTs – 20-01 through 20-04, Checks - 12493 through 12516 & Direct Deposits - 1207 through 1212 for a total of \$27,398.82. Motion passed, 3 Aye – 0 Nay.

Township mail was opened and reviewed.

Motion made by Steen, seconded by Wesely to adjourn the meeting at 8:18 PM. Motion passed, 3 Aye – 0 Nay.

RESPECTFULLY SUBMITTED :

APPROVED :

Clerk, Scott Danelski

Chairman, John Wesely