

Meeting of the Windemere Township Board - May 14, 2020

The meeting was called to order at 6:30 PM by Chairman, John Wesely. Others present were Supervisors Heidi Kroening and Dennis Genereau, Treasurer Ron Mossberg, and Clerk Scott Danelski. Eight additional participants attended the virtual meeting via Zoom.

CLERK'S REPORT / READING OF MEETING MINUTES AT MONTHLY BOARD MEETING :

Wesely : Discussed no longer reading the minute meetings as they take up a good portion of time during the meetings. The Board Supervisors get a chance to read and review the minutes at least a week ahead of the township meetings and the Board is able to make corrections, comments, or changes as the Board reviews the transcription. After being reviewed by the Board, the meeting minutes can be posted onto the website.

Motion – Genereau, 2nd – Kroening Windemere Township meeting minutes will no longer be read aloud at Board meetings. Board members will be provided a copy of the transcribed meeting minutes and shall reply with any additions, subtractions, correction, or their preliminary approval.

Motion passed – 3 Aye, 0 Nay Meeting minutes will be posted onto the township website once preliminary approval is received from the Board.

TREASURER'S REPORT :

Mossberg : Discussed how paystubs are now available electronically. Mossberg will try to create the direct deposits ahead of time so that everyone gets paid by the monthly meeting.

Pine County would like to change the process in how they make payments to Windemere Township. The township currently receives hard copy paper checks. Pine County is requesting that they be able to make payments to the township via direct deposits. Pine County makes approximately 4-5 of payments to Windemere Township each year. The Treasurer highly recommended changing to this process to the Board.

The Township's investment portfolio has changed due to changing environment. Interest rates have dropped significantly and he wants to know if the Board would like him to cast a broader net and try to shop around to find other safe short-term securities.

The Treasurer provided a slide that showed the payroll distributions for the Windemere Township Road Maintenance Department.

The Treasurer stated that he received some income via zoning fees and a few other odds and ends.

Public safety and fire purchased signs. See all specific account balances indicated on this report posted on the website.

Discussed options in regards to investments options due to the current economy. Should the township move investment dollars, and does the township want to? Mossberg is torn as far as what to do, he would probably say that the township should keep investment monies at US Bank for the short term, and then suggested the township should check with the Deputy Treasurer and also with other investors to see if there are additional safe governmental investments available.

Wesely : Abstaining from making decisions in regards to moving any money to First National Bank of Moose Lake.

Kroening : Asked Treasurer Mossberg for any recommendations?

Genereau : Stated it is a tough time economically, the township needs to be cautious and prudent. He also suggested the township should to speak with someone from the County regarding their investments and he wanted to stress that investments with public money need to be extremely safe and secure investments. A definitive decision was tabled until next month until Treasurer Mossberg can do some additional investigation on investments and strategy.

Motion – Wesely, 2nd – Genereau To approve setting up electronic fund transfers (EFTs) from Pine County to Windemere Township to receive deposits from Pine County. Motion passed – 3 Aye, 0 Nay
The Treasurer will complete Pine County's EFT form and send it back to the county.

Motion – Wesely, 2nd – Kroening To Accept the April 2020 Treasurer financial report as submitted.
Motion passed – 3 Aye, 0 Nay

PUBLIC INPUT :

Cindy Carlson was present and wanted to remind the Board that the Planning Commission has completed the final draft and had submitted it to the Board for their approval. The Comprehensive Plan is intended to be used as a vision statement. June 9th will be the next Planning Commission Meeting.

Genereau : Inquired about the width of Sturgeon Island Road and was wondering if there is a copy of the road order. Wesely stated that the person inquiring should contact the County directly.

OLD BUSINESS :

STURGEON ISLAND BRIDGE PRESERVATION COMMITTEE :

Kroening met with Vern Anderson II to discuss the information provided to him from the engineering firm MSA. Anderson inquired about whether the bridge pilings were ever inspected and what their condition are. Anderson wondered if the bridge could be left in place, the decking rebuilt, and address the bridge approaches. Anderson also wanted to do more looking into the variance process and see what the possibility would be for obtaining one.

Kroening : As a result of the meeting with Anderson, Tom Wilson of Erickson Engineering was contacted and the township inquired as to what the chances would be for the township to obtain a variance from MNDOT for the Sturgeon Island Bridge. Who would be the contacts from MNDOT to speak to in regards to obtaining a variance? If the township requested a variance, would there still be a possibility for the township obtaining funds from the MNDOT Road & Bridge Fund in regards repairing the bridge and keeping the bridge with the same specs the bridge currently has.

Kroening : Contacted Pine County Engineer Mark LeBrun to see if the results from the COVID-19 pandemic and its economic impact, could the MNDOT Road & Bridge Fund be impacted negatively. LeBrun believes the MNDOT Road & Bridge Fund could be impacted due the COVID-19 pandemic and he suggested that Windemere Township should sign the cooperative agreement with Pine County as soon as possible to try to secure funding for the project to commence next calendar year.

Kroening : Stated that she would send all information and contacts to Chairman Wesely per his request. She also stated that the contact information be given to Vern Anderson II in order to keep the Sturgeon Island Bridge Preservation Committee in the loop because she had already stated to Anderson that he could be a part of that discussion.

Wesely : Stated that he wanted to contact MNDOT, and he wanted to get this figured out so that that the township do not lose the opportunity for accessing the funds from the MNDOT Road & Bridge Fund. He also stated he was not sure what the committee's plans were at this point.

TOWNSHIP CLAIM PROCESSING :

Danelski : Stated how he now processes the township's claims via email sending them to the Board Supervisors for approval electronically as a result the current COVID-19 pandemic. Once the Board has approved the claims, he delivers the claims to the Treasurer for processing. He also stated that once the COVID-19 pandemic's shelter-in-place order is lifted, the Township will return to the normal claim processing.

WINDERMERE TOWNSHIP ZONING DEPARTMENT :

An interview panel consisting of Supervisor Heidi Kroening, Clerk Scott Danelski, Zoning Administrator Phill White, and Assistant Zoning Administrator Ryan Clark conducted interviews on Tuesday May 12th to fill the vacant Windemere Township Zoning Administrator position. The panel interviewed (5) candidates : Scott Beckman, Del Zentgraph, Frank Clasman, Peter Joseph, and Dennis Genereau.

Following the interviews, the panel unanimously decided to recommend to the Windemere Town Board to offer the position to Dennis Genereau at a starting wage of \$25.00/Hour.

Wesely : Stated that the Township Board has decided to retain and maintain our own Zoning Department. He announced that Dennis Genereau has accepted the position of Windemere Township Zoning Administrator, and that Supervisor Genereau will resign from his position as Board Supervisor effective midnight on May 15th, 2020. Wesely made a point to make sure the township advertises for the vacant position on the Windemere Board of Supervisors. The vacant seat will be again be published and posted for anyone wishing to submit a resume and a letter of interest. Danelski will make the posting from May 23rd until June 1st, 2020.

Kroening : Stated that she was pleased with the pool of candidates that the township received and commented that Genereau had the best qualification, she was very confident that as a result of that hire, the township will have good coverage for the Zoning Department. She also stated that she will follow up with all of the applicants.

Genereau : Stated he did submit a letter of resignation as a Windemere Board Supervisor, and he feels that the Zoning Department is a good fit for his skill set. Genereau also stated that he feels he can better serve the public as the township's Zoning Administrator than that as a Board Supervisor. Genereau accepted the position and will resign his position as a Board Supervisor for Windemere Township effective 5/15/2020 and begin his new role as the new Windemere Township Zoning Administrator.

DITCH EROSION (STURGEON ISLAND ROAD) :

Emails were sent to the town Board by Tony Bakhtiari regarding ditch erosion that has occurred next to his property located at 89147 Sturgeon Island Road Sturgeon Lake, MN.

Wesely : Stated that the ditch running along the North side of Sturgeon Island Road, starting from Hill Street, has eroded significantly. During road review the Board and Maintenance Department inspected the eroded ditch and concluded that the township will need to place a plastic culvert along the ditch to prevent further erosion and divert water to a marshy area at the bottom of the hill. This will temporarily address the issue until a more permanent solution can be completed when the township redoes both the Sturgeon Island Road and the Sturgeon Island Bridge.

Genereau : Stated he believe the culvert installation is a good idea.

Motion – Wesely, 2nd – Genereau To approve spending up to \$7000.00 for the purchasing or a culvert and rock to repair the ditch erosion along Sturgeon Island Road. Motion passed – 3 Aye, 0 Nay

HIGH-SPEED INTERNET ACCESS :

Danelski : Gave an over-view of the current high-speed internet access physical plant and the location as to where the fiber-optic cable currently terminates as of today.

Genereau : Drafted a letter to Jason Janesich (507) 461-3030 of Mediacom requesting to see if a fiber-optic cable and equipment can be added from their current physical plant location which ends at the intersection of Lakeview Drive and North Shoreland Road and install and extend the physical plant to the Windemere town hall to enhance the township's internet speed and offer a high-speed option for the township. Genereau will provide the letter to Clerk Danelski.

2020 VENDOR CONTRACT PRICING QUOTES :

Danelski : Deferred to Treasurer Mossberg's spread sheet. Three vendors submitted pricing to Windemere Township; Rydberg & Sons, Precision Grade, Inc, and Buetow Trucking. The cost for hauling material per cubic yard is listed on the attached pricing grid. The township will refer to grid sheet when contracting with a vendor for township work in order to obtain the least expensive cost for the township.

Mossberg : Whomever has the past history of approval or denial of services the township will need to save all correspondence in regards to declining or accepting a job when requested. This information should be attached to each month's claim. Clerk Danelski has all corresponding correspondence with all of the vendors in regards to the information Treasurer Mossberg is referring to above.

Kroening : Inquired about the notification and response time frames when contacting vendor contractors. She stated she wants the motion's language to be very specific in regards to how the township will contact and contract hire vendors so it is documented properly.

Motion – Genereau, 2nd – Kroening To approve using the attached ranked vendor contract pricing grid sheet when hiring vendors for additional contract hauling work for Windemere Township. The grid sheet is ranked lowest cost per cubic yard to the highest cost per cubic yard for hauled material. Vendors will be contacted starting with the lowest cost vendor and work down the list until a vendor accepts the contract offer. Vendors will be contacted a minimum of (1) week prior to each project's projected starting date via email. Vendors are required to respond to the offer email within 48 hours to accept or decline the offer of contract work. A non-response after the (48) hours will be considered a decline of the offer for that individual project's contract work. For each additional contract hauling project, the process starts all over again from the top, making the first offer to the lowest priced vendor per cubic yard and working down the list again until a contract vendor accepts the work. Motion passed – 3 Aye, 0 Nay

Motion – Wesely, 2nd – Kroening In the case of an emergency situation, Emergency Work Projects needing additional contract hauling will be awarded using the same award process, but the minimum (1) week notice and (48) hour response timeframe is waived. Contracts will be awarded on a first vendor to respond basis. Motion passed – 3 Aye, 0 Nay

HARMONY LANE IMPROVEMENT PROJECT (TP 19-01) :

Wesely : Stated that the township needs to move forward on this project. In his opinion, the township should award the contract to Kiminski Paving as it was presented to the Windemere Board. The road is in very tough shape. Everyone is aware that this is an expensive project, but he believes the township must move ahead with the project. Twelve vendors requested project specs for the Harmony Lane project, and he was not exactly sure why no one besides Kiminski Paving submitted a bid for the project. Wesely stated that the township did reach out to MAT's attorney Steve Fenske and also to Tom Wilson of Erickson Engineering. At first, he was unsure whether the township should make a decision after only receiving a single quote from only the one vendor, however, after reading the responses from Steve Fenske and Tom Wilson, Wesely stated he has changed his opinion.

Genereau : Agreed intersection of Harmony Lane and Northstar Drive is in really rough shape. He also stated he had folks reaching out to him regarding the road. Had one person who wanted to wait until the township could come up with another plan rather than accept the quote. The remaining contacts wanted to fix the road for the long term. Genereau did ask about an engineering estimate and how it compared to the contractor's bid. Genereau stated that due to the fact that the contractor's bid came under the engineer's estimate it is good reason to accept the bid, that along with the fact that the road is in such bad shape he believes the township should move ahead with the motion.

Kroening : Stated that what Genereau and Westley had just stated was true. She added that she thought it was important to mention that the Board had the engineering firm reach out to the vendors that reviewed the bid package, and request from them why they chose not to submit a quote. Kroening felt that the township did do their due diligence. Kroening responded to Horgen's comment. Felt it was important that we articulate why she contacted MAT's attorney Steve Fenske.

Danelski : Stated that Supervisor Kroening did reach out to MAT's attorney for advice and to make sure that the township were doing things correctly. He commented that the MAT's attorney stated that if we revoke the bid, and then re-bid the project, the township may not get anyone to bid on the project the second time around and really lose out on the opportunity. Danelski also commented that Supervisor Genereau had made the exact same statement at April 2020 regular Board meeting. Danelski said he received an email from Tom Wilson explaining why other vendors had not submitted a pricing for the Harmony Lane project. He reiterated that when the other contractors saw that the local contractor Kiminski Paving had requested specs for the project, some of the other vendors requesting the specs made statements that in the past when they had submitted pricing for projects located in Kiminski Paving's home area, their pricing has not been competitive against Kiminski's. Danelski stated that Kiminski Paving's bid came in at \$383,423.00 which is under the engineered estimated cost of \$437,505.50 by (-\$54,082.50).

Mossberg : Asked if we were talking comments at this time and Chairman Wesely agreed to take the comment.

Paul Horgen : Stated that his comment was directed primarily at Supervisor Kroening but also the other Board members as well. He stated he is tired of hearing about comments made from MATs attorney Steve Fenske. Horgen did not feel that this matter was in need of a legal opinion in order for the Board to act on it. Horgen went on to state that he wanted the Board to make a motion to never ever accept a bid for any road project costing hundreds of thousands of dollars when the township has only received one bid. Horgen stated that the township does not need to hear Fenske in regards to a business opinion, no matter what the reasons are, the Board's decision is wrong. Horgen went on to state that the Windemere Board can do better than what they are currently doing. We need to get the base of the reason for why the township only received the one bid for the project.

Wesely : Chairman Westley responded to the comments made by Paul Horgen, and stated that when he makes his comments, he should direct his comments to the Board as a whole and not just one member of the Board. Chairman Wesely does not feel that making comments directed one individual are necessary or appropriate.

Motion – Wesely, 2nd – Genereau Accept Kiminski Paving, Inc quote of \$383,423.00 to complete the Harmony Lane Improvement Project (TP 19-01). Motion passed – 3 Aye, 0 Nay

TELESCOPIC LIFT RENTAL :

Wesely : Stated that this topic should be tabled until later in 2020 calendar year. Tree trimming needs to be completed in the fall, winter, or spring when the trees are in their dormant stage.

TOWNSHIP POLICIES :

Kroening : Stated she requested that Treasurer Mossberg and Zoning Administrator Dennis Genereau to participate in a working policy meeting. The township Clerk will send out emails requesting dates that everyone can meet. Kroening also brought up that a hiring policy should be developed too. She mentioned that these are very important needs for the township and that they need to be addressed.

Wesely : Agreed that we need to set up a meeting to discuss these issues as well. Start with policies that the township has currently in place, and then address other additional policies more specifically at a meeting.

Genereau : Stated he willing to offer his expertise in this area and would like to help out as well.

Danelski : Will assist in setting up a special working meeting to discuss and compose new township policies.

ISLAND LAKE BOX CULVERT :

Tabled until next regular Board meeting after we meet with the engineering firm (Erickson Engineering) on June 5th to discuss the Palon Road. Both projects are connected, as they involve the same engineering firm.

NEW BUSINESS :

3.2 ON/OFF SALE – RAY & MARGE’S RESORT :

Motion – Wesely, 2nd – Genereau To approve the State of Minnesota Combination Application for Retailer’s 3.2% Malt Liquor License On-Sale, Off-Sale for Ray and Marge’s Resort for the dates of July 1st, 2020 through June 30th, 2021. Motion passed, 3 Aye – 0 Nay

ADMINISTRATIVE OF TOWNSHIP GODADDY EMAIL :

Danelski : Shared with the Board that the Email Administrator, Jon Hedin, sent an email stating he would no longer like to be the township’s Email Administrator and that he requested his Administrator duties end June 1st, 2020 and have the Township take over. Danelski went on to state that Treasurer Ron Mossberg stated he will accept the responsibility of being the township’s Email Administrator and take over the responsibilities of the township email.

Mossberg stated that this is not a Treasurer’s role, but that he feels comfortable doing that and will reach out to Hedin to request passwords and log-in credentials.

1st HALF OF TOWNSHIP PROPERTY TAXES :

Board discussed the letter from the County in regards to the collecting of 2020 property taxes. The County is proposing to lower the late payment penalty fees for residents due to the COVID-19 pandemic. All Board members agreed that as a result of the current times, this is the correct action to take.

Motion – Genereau, 2nd – Wesely To Approve Pine County’s Resolution 2020-26 which is an amended penalty schedule for late payment of the 1st half of property taxes in the 2020 calendar year due to property owners who have been negatively impacted by the COVID-19 virus. The normal penalty scheduled for late payments listed on the back side of property owner’s tax statements has been amended for all property classifications to 1% from May 16th, 2020 through June 20th, 2020 and 2% from July 1st, 2020 through July 30th, 2020. Motion passed, 3 Aye – 0 Nay

EXCAVATOR RENTAL :

This agenda item has been tabled until the special working meeting can be held which will prioritize the 2020 Windemere Annual Road Review projects.

Wesely : Mentioned the township has a lot of ditching that needs to be completed this year. He stated he wants to make sure we get all the work done in a timely matter so that excavator is not sit idle.

Kroening : Suggested that we meet to prioritize what roads and projects are the top priority for the township, and also that the Board needs to consider the constituent's levy vote from the March 2020 Annual Meeting when prioritizing those projects. Supervisor Kroening requested that Treasurer Mossberg also to participate in the special working meeting due to the fact that he manages the finances and has voiced some concerns in the past regarding the Windemere Road Maintenance Department.

Mossberg : Agreed to attend the meeting.

Danelski : The township clerk will send out emails requesting dates that everyone can meet.

2020 GRAVE CRUSHING QUOTES :

Wesely : Stated that the township should send out quotes for class-5 gravel crushing this year as the township's stockpile of class-5 gravel is running low.

Danelski : Stated that due to the township's current road projects, the township will run out of class-5 gravel before the end of road construction season. He will publish and post requests for 2020 Windemere Township class-5 gravel crushing. Quotes to be accepted and awarded at the June 11th, 2020 regular Board meeting.

2020 FLEX SEAL & CHIP SEAL QUOTES :

Wesely : Stated that the township should send out quotes for road sealing

Genereau : Wondered if it would make sense to see whether Pine County is completing other similar projects in the area and see if there is a possibility that the township could get a better bid and/or pricing.

Kroening : Stated the township should considered contacting Carlton County as well.

Danelski : Will publish and post requests for 2020 Windemere Township flex and chip-sealing of township roads. Quotes to be accepted and awarded at the June 11th, 2020 regular Board meeting

BOARD OF SUPERVISOR OTHER :

Genereau : Stated he wanted to follow up on his comments from the April 9th, 2020 regular Board meeting. Genereau stated the township should notify residents when the township intends to have the Road Maintenance Department trim trees and cut brush in the township road R.O.W.s. Also the Road Maintenance Department needs notify the Town Board well in advance of the work to be conducted, so proper notifications can be made.

Kroening : Stated she was contacted by township attorney, Kevin Hofstad, who stated he has reviewed all the information provided by labor attorney Brandon Fitzsimmons. Before he offers any documents requested by the I.U.O.E. Local #49, Hofstad stated that he would like to speak to Road Maintenance Employee Mike Buetow directly to find out which information he and the union already currently has. Hofstad wanted Kroening to inform the Board to make sure it would be okay to contact Buetow. Board agreed.

Kroening : Stated she received a request from former Windemere Zoning Administrator Phil White that the new Windemere Zoning Administrator Dennis Genereau gets a new computer and some additional office supplies. She commented on whether a motion by the Board was needed.

Board : No motion was needed because as listed in the current Windemere Township purchasing policy, the Board Supervisor in charge of the Zoning Department, or a Board Supervisor of any other township department, has the individual authority to approve spending up to \$2500.00 without a motion by the full township Board.

ROAD UPDATE :

Danelski : Gave the Road Maintenance Department update. He informed the group that Windemere's Road Maintenance Department has been busy reclaiming class-5 gravel on some of the township's roads and they have also have been dealing with soft spots on township gravel roads as frost comes out of the ground. Buetow requested that if residence have any additional soft spots which have not yet been addressed, to make sure the residences send him an email via the township website.

ZONING UPDATE :

No zoning updates this month.

PLANNING COMMISSIONER UPDATE :

Danelski : The rescheduled May 12th, 2020 Planning Commission meeting had to be cancelled due to the extension of Governor Walz's Shelter-in-Place order. The next scheduled Planning Commission meeting will be held on Tuesday June 9th, 2020.

FIRE DISTRICT UPDATE :

Wesely : No Fire District meeting this month other than a virtual meeting to approve the Fire District's claim. The Fire District has purchased a ladder truck.

CLAIMS :

April 2020 claims/payroll was reviewed. Motion – Wesely, 2nd – Genereau to approve the April 2020 claims as submitted. Payroll Pay200422 & Pay2005, EFTs 20-15 -20-17, Checks 12587 to 12606, and Direct Deposits DD1235 to DD1247 for a total of \$23,020.37. Motion passed, 3 Aye – 0 Nay

BOARD RESIGNATION :

Motion – Wesely, 2nd – Kroening To accept the resignation of Windemere Township Board Supervisor Dennis Genereau effecting May 15th, 2020. Motion passed, 2 Aye – 0 Nay with Genereau abstaining

Township mail was opened and reviewed.

ADJOURN :

Motion – Wesely, 2nd – Genereau To adjourn the meeting at 9:06 PM. Motion passed, 3 Aye – 0 Nay

RESPECTFULLY SUBMITTED:

Clerk, Scott Danelski

APPROVED:

Chairman, John Wesely

Vendor Contract Pricing (Hourly Quotes)

VENDOR	MACHINE	QUOTE	CAPACITY	PRICE / YARD	CATEGORY
Rydberg & Sons	Belly / Side Dumps	\$95.00	18 yards	\$5.27 / yd	Gravel hauling
Precision Grade	Belly Dumps	\$105.00	18 yards	\$5.83 / yd	Gravel hauling
Buetow Trucking	Quad Dump	\$96.00	14 yards	\$6.86 / yd	Gravel hauling
Rydberg & Sons	Dump Truck	\$85.00	12 yards	\$7.08 / yd	Gravel hauling
Precision Grade	Quad Dump	\$100.00	13 yards	\$7.69 / yd	Gravel hauling
Buetow Trucking	Tandem Dump	\$85.00	10 yards	\$8.50 / yd	Gravel hauling
Buetow Trucking	Quad with Trailer	\$125.00		# 3	Mobilization
Precision Grade	Tractor & Lowboy	\$125.00		# 1	Mobilization
Rydberg & Sons	Mack with Kaufman	\$125.00		# 2	Mobilization