

Canosia Township

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Town Board: Chairman Scott Campbell, Supervisor Kevin Comnick, Supervisor Jeff Lundholm
Clerk Susan Krasaway, Treasurer Angela Christianson

REGULAR MEETING MINUTES

September 3, 2014

ATTENDING: Chairman Scott Campbell, Supervisor Kevin Comnick, Supervisor Jeff Lundholm, Clerk Susan Krasaway, Treasurer Angela Christianson, Road Foreman Gary Oswell, Recycle Shed Attendant Deanna Nordeen, Fire Chief Gene Stevens, P&Z Director Tim Walburg and 11 residents.

Chairman Campbell called the meeting to order at 7 p.m., and the pledge of allegiance was recited.

APPROVAL OF AGENDA, MINUTES AND TREASURER'S REPORT

- A. AGENDA: Motion by Lundholm to approve the agenda. Motion carried unanimously.
- B. MINUTES: Motion by Lundholm to approve the regular meeting minutes (8/6/2014).
Discussion: Chairman Campbell said he did not recollect Supervisor Comnick volunteering for the resident road committee. Campbell said, as chairman, he only appointed the four other committee members since his intent was to not have a supervisor on the committee. Supervisor Comnick said he did in fact volunteer during the August meeting and there was no need for the Chairman to "appoint" anyone to this type of volunteer committee. Supervisor Lundholm also said he remembered Comnick volunteering. There was no official motion to change the minutes. The minutes were approved 2 -1, with Comnick voting against it.
- C. TREASURER'S REPORT

1. Approve Report

Motion by Lundholm, seconded by Comnick, to approve the Treasurer's Report (1/1/14 – 8/31/2014). Discussion: Resident Dan Jezierski asked why there was a large jump in the disbursements from the Road and Bridge fund. Treasurer Angela Christianson said it reflects some of the gravelling and other related bills that came through this month. Motion carried unanimously, 3 – 0.

2. Information from Treasurer

- a. Christianson said she corrected the July Treasurer's Report to reflect the electronic deposit from St. Louis County that she mentioned last month.

(treasurer, contd).

Motion by Lundholm, seconded by Comnick, to approve the corrected Treasurer's Report from July. Motion carried unanimously, 3 – 0.

- b. In order to open the new account at the Hermantown Federal Credit Union, Christianson will need several things: 1) a copy of the town's charter (Clerk Krasaway will ask former Clerk Sue Brooks where to find it), 2) a copy of the minutes in which the board approved opening the account, 3) a copy of the minutes in which the board designates the authorized people on the account and 4) copies of the drivers' licenses of the authorized representatives.

Motion by Lundholm, seconded by Campbell, to designate the Clerk, Treasurer and Chairman as the authorized representatives for the new Hermantown Federal Credit Union account. Motion carried unanimously, 3 – 0.

- c. Christianson said she sent an incorrect amount of money to PLAWCS and she is trying to figure out how to remedy the situation. Former Treasurer Dave Beaudette was at the meeting and offered to help Christianson.

PUBLIC INPUT

In regards to the Resident Road Committee, Resident Dan Jezierski said Supervisor Comnick tried to "take over" the meeting. Comnick disagreed and said he acted on the committee as a resident, not a supervisor.

Jezierski said he also noticed the second committee meeting was not properly posted. Clerk Krasaway said Comnick did in fact ask her to post it the day after the first meeting, but she did not do it until the day before since she thought it was not legally necessary. Comnick read a state statute stating that there was no Open Meeting Law violation since there was no quorum of the town board present at the meeting.

Resident Mike Podgornik requested that a new "Road Supervisor" be appointed. Chairman Campbell said this issue would be addressed later in the meeting. Resident Kurt Brooks said he felt a lot of good work was done on the Resident Road Committee.

OLD BUSINESS

A. FIRE DEPARTMENT:

AUGUST FIRE DEPARTMENT RESPONSES		
TYPE OF CALL	#	NOTES
EMS	6	
Medical MUA	2	To Grand Lake
Township Fire	1	Gas line hit

MUA Fire	1	To Rice Lake
Service	1	Lift assist.
TOTAL	11	

TOTAL FOR 2014	96
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Training: This month the department worked on car extrication using donated cars. During the training session, they discovered one of the hoses was broken on their extrication tools and had to have it replaced. They also had all of their other related tools serviced.

Motion by Lundholm, seconded by Campbell, to approve the following purchases requested by Chief Stevens: two new radios (\$1,467 each), three new sets of gear (roughly \$5,000 total), and the cost of sending the Chief and Assistant Chief to the Fire Chief's convention in St. Cloud (\$265/person to register). Motion carried unanimously, 3 – 0.

Chief Stevens presented the board with two quotes to do a temporary repair on the fire hall apron: KTM = \$2,067.22, Sinnot = \$3,010.00. Asphalt of Duluth also submitted a quote (\$1,170) but the Chief said the company did not understand the project and therefore the estimate was not valid. Supervisor Connick asked why Stevens did not send out formal Requests for Proposals (RFP's) outlining the scope of the work. The chief said he was handing the project over to the township and that they should just give him two weeks notice before it would be done. He also asked that it be paid for from the Road and Bridge fund, rather than the fire department.

1. Fire Relief Request: Cover CPA and Bond Expenses

In response to Fire Relief Treasurer Scott Mercier's request from last month, Supervisor Connick said he was not opposed to the idea, but they need to look back and see exactly what the township can/cannot pay for.

Former Treasurer Dave Beaudette explained that the township cannot specifically allocate money for these types of expenses, but that the relief organization can request additional contribution from the township if they are going below their obligation to its members. Chief Stevens noted that Mercier had already requested the maximum contribution from the town.

The board will deal with this at the yearly budget meeting. Supervisor Connick said he would like know the accumulated liability vs. the actual balance of the relief fund. Clerk Krasaway will request this information from Mercier before the budget meeting.

B. PARKING ORDINANCE ENFORCEMENT: Nothing to report.

C. CARMEN'S WAY LANDING PROJECT

The DNR is waiting until the traffic quiets down at the landing before deciding on what small improvements to make this year.

D. PIKE LAKE INSPECTIONS

Pike Lake Association (PLA) member Brian Mirsch thanked the township for acting as the Local Unit of Government (LUG) for the watercraft inspections at Pike Lake this summer. He said it appears the total cost will be within budget and that the inspections reached an estimated 92% of boater traffic.

Motion by Connick, seconded by Lundholm, to act as the LUG for the inspections again next summer. Motion carried unanimously, 3-0.

Mirsch said the PLA will again research/write grants. He also said Landing Manager Corinne Maki will not be back next year and the township should figure out next year's manager before spring. Clerk Krasaway will contact Maki and ask if she would recommend any of the current employees to take over as manager. Krasaway will also ask her to submit any advice/expertise/standard operating procedures she may have in regards to smoothly running the inspections.

Resident Kurt Brooks asked about adding inspections at other local lakes, and whether the grant money would be increased if more lakes were added. Mirsch said last year the DNR allocated grant money per LUG, not per lake. Chairman Campbell said a larger discussion on this topic needs to take place in the future.

E. RECREATION AREA

1. Report

Rec Director Mike Ellingson said the materials to replace the warming shed roof will be much less than expected (\$600-\$700 vs. \$1200). He asked whether he should leave the old roof on or take it off (the board said to leave it on).

Ellingson gave Supervisor Lundholm some information regarding the dugout/concession stand project so Lundholm can begin the grant writing process. Ellingson said it appears the foundation is warped and they will likely need to put up an entirely new structure.

2. Trailer Hitch Cost

Ellingson said the board should reimburse Richard Carlson for the roughly \$400 he spent to put a trailer hitch on his vehicle. (Carlson was hired to mow the grass after Laird Erikson was unable to do so. Erikson is now back on the job). Supervisor Connick said the cost fell within Rec Director's budget and therefore Ellingson can approve it between meetings. Road Foreman Gary Oswell said the installation was done in good faith and fell within the boundaries of Carlson's job as mower.

Chairman Campbell said it was clear at the July meeting, which Carlson attended, that the township would not support the idea of installing a trailer hitch on Carlson's car. He also said it was inappropriate for town funds to be used to put equipment on a private vehicle.

Motion by Connick to reimburse the cost of the trailer hitch. The motion failed.

Motion by Campbell, seconded by Lundholm, to deny the reimbursement cost of the trailer hitch. Motion carried 2 – 1, with Connick voting against it.

F. ROADS

1. Road Foreman Report

Road Foreman Gary Oswell said a Shady Lane resident is asking for “Dead End” and speed limit signs on the road.

Motion by Connick, seconded by Campbell, to formally request from the county a “Dead End” sign for Shady Lane. Motion carried unanimously, 3 – 0.

There was some discussion about the process for implementing a speed limit (traffic studies, etc) and installing a sign but no formal decision was made. Chairman Campbell said there is a new belief that fewer signs on the roadway are better.

Oswell said there have been reports of four-wheelers speeding on township roads. The board recommended that residents call the sheriff’s department with any problems.

Oswell said he postponed the installation of the culvert on Vaux Road since he did not want to exceed the \$4,000 limit he was given last month.

Oswell reported that Jake’s Grading is no longer interested in doing the brush work for the township. Oswell said he does not know anyone else capable of cutting out to the property line, which he believes is the most effective practice.

Chairman Campbell said his neighbors have been asking why no culvert is being installed on a new driveway on Vaux Rd. Oswell said the wetlands people requested that the property owner *not* install one. Oswell will monitor the situation and one will be installed if need be.

2. Resident Road Committee Report

Committee member Kurt Brooks read the committee’s recommendations which included the following: 1) Conduct a road tour every spring, 2) Use the best value gravel and haulers/spreaders, 3) Review grading costs from county to see if quotes are needed, 4) Address the \$1,000 between-meeting maximum spending limit for emergencies, 5) Review and get quotes for snow plowing, ditch clearing, culvert replacement, etc. (See entire report attached to official meeting minutes).

Committee member Deanna Nordeen also added that resident Jerry Carlson has offered to donate recycled concrete to help with township projects.

Nordeen and committee member Mike Podgornik both requested that a supervisor not be involved in future volunteer committees such as this one.

After some discussion regarding the costs of grading over the last few years, Treasurer Angela Christianson said she has now created a spreadsheet of everything the county does for us (grading, plowing, etc) and the related costs.

Road Foreman Oswell said the volume of gravel needed this year will not be needed every year. However, this summer the only major project on tap was the road gravelling.

Resident Dan Jezierski said the township never asked Oswell and Comnick what road work needed to be done. At this point, Comnick outlined his road timeline, quoting past minutes:

- In May, the board decided no road tour was needed, and they would follow Oswell's recommendations for summer projects.
- In June, Oswell said he would like to meet with Supervisor Comnick about what projects to tackle this summer; In regards to the roadwork resolution, Lundholm reiterated that his intent with the resolution was not to change the way things are done, but rather just put it in writing that Oswell's company is authorized to do the work.
- In July, the board unanimously decided "to begin the gravel work on the various roads named in the road report. The work to be done this month will be determined by the Oswell Co., under the discretion of Supervisor Comnick and Road Foreman Gary Oswell. Some gravel will likely be placed on each of the township roads."

According to Supervisor Comnick, Chairman Campbell approached Oswell the following day and asked him to limit the work being done that month, and asked him not to spend all \$38,000 as Comnick would have him do. Oswell said at the September meeting that Comnick never directed him to spend more than the board authorized.

Resident Tom Amendola questioned whether the Road Supervisor (Comnick) was doing his job to save the township money on roadwork. He asked whether Comnick had gotten a quote from Oswell for the gravelling work (no), and said every single township road could have been graveled for the price of Oswell's work on a select few.

Supervisor Comnick read the Request for Proposals (RFP) he sent to various contractors for the remaining summer projects. (See RFP attached to official minutes). The list of contractors was given to Comnick by the Resident Road Committee. The three quotes received were all sent to Comnick's home; he did not open them before the meeting.

Road Committee member Nordeen said this RFP contract was never approved by the committee during its meetings. She also said a legal review of the contract is needed since hypothetically Oswell (as Road Foreman) cannot approve the work done by his own company (Oswell Inc.).

Committee member Podgornik also criticized the RFP idea since the companies were given only ten days to respond and an additional month to complete the work. He suggested that all road projects be put on hold unless it's an emergency.

Resident Kurt Brooks said Connick was only doing what the committee asked him to do: determine the remaining work needed, send out RFP and ask for a quick response; if it wasn't done quickly, the committee would not have any projects for the board to approve at the September meeting.

Chairman Campbell said the board needed additional time to digest the use of RFP's, etc., but that it was a good start to the process. Clerk Krasaway will make copies of the quotes that were submitted and distribute them to the board members. At this point, all projects are on hold until next meeting.

G. PLANNING AND ZONING

P&Z Director Tim Walburg issued four permits last month (2 single family dwellings, 1 garage, and 1 shed). He also said there has been interest in zoning ordinance books; Chairman Campbell said the township will hold off on printing new ones until the ordinance book is redone.

Chief Stevens said the new home being built on Vaux Road will need a 911 address number and sign. Clerk Krasaway will send a letter to the property owner with the information needed. Resident Tom Amendola suggested adding this information to the permit forms in the future.

H. AIRPORT ZONING

Supervisor Connick reported that St. Louis County Commissioner Pete Stauber is chairing a new committee looking to create uniform rules in safety zones in airports across Minnesota.

I. HISTORICAL SOCIETY: Nothing to report

J. TECH COMMITTEE

Clerk Krasaway said the next newsletter will likely go out in mid-October.

Deanna Nordeen said the township website is over the storage limit allowed by CenturyLink.

Motion by Campbell, seconded by Connick, to authorize Deanna Nordeen to clean up the website's remote site which allow for more space on the main site. Motion carried unanimously, 3 – 0.

K. CEMETERY

1. Report

Road Foreman Gary Oswell asked for clarification regarding his responsibilities at the cemetery. Right now, he meets with the families and helps them pick out gravesites, etc. but he is not typically paid for it.

(Cemetery contd).

Motion by Comnick, seconded by Campbell, to table this discussion until next meeting.
Motion carried unanimously, 3 – 0.

2. Pricing Question

Clerk Krasaway said there is a resident who wishes to reserve two cemetery plots adjacent to his parents' graves. However, Krasaway was not sure how much it would cost to reserve these specific spots. After reviewing the cemetery rules, the board agreed that it would cost \$500 per grave. If a site is reserved at the time a family member is buried, then the cost is only \$100 each.

3. Index Update

Clerk Krasaway reported that the cemetery index is nearly complete and the Genealogical Society will likely present a copy to the board this fall.

L. RECYCLE SHED

Motion by Campbell, seconded by Comnick, to accept the resignation of Recycle Shed Attendant Deanna Nordeen, effective no later than September 30. Campbell thanked Nordeen for her work at the shed. Motion carried unanimously, 3 – 0.

Supervisor Lundholm will ask attendant Frank Bolos if he would be interested in working Nordeen's shifts in addition to his own.

NEW BUSINESS

A. PIKE LAKE LIQUOR ISSUE

The board was contacted this month regarding a violation (selling to a minor) at the Pike Lake Liquor Store. Chairman Campbell said the township should wait to act until the official citation was issued by the county. (The township is the issuer of the liquor license and is therefore responsible for doling out any penalties).

Supervisor Comnick said he received a call from the store's owner who was upset, asking why one of the township supervisors was publicly stating that a special meeting would need to be called in regards to this issue. Comnick stated that the email notice of the violation was forwarded from the clerk to only Chairman Campbell; Comnick said he therefore believes the only way Supervisor Lundholm could have known about it was to discuss it with Campbell, which would have been a violation of the Open Meeting Law. Comnick said the board has to be extremely careful about the OML. He said he had contacted the auditor about this situation, but decided to not send them documentation at this time. Chairman Campbell asked that it be stated for the record that Comnick's information was completely incorrect.

In regards to the potential penalties for the liquor store, Comnick said he does not want to give them any fine since this is the first time in 25 years they've had a violation. He also said the owners have spent \$2,000 on a training program for their employees and purchased a new ID scanner so this will not happen again.

B. TOWNSHIP EMAIL ADDRESS

Supervisor Comnick said he feels it is an invasion of his privacy that Chairman Campbell checks the township email. Comnick requested a separate email/password to which he could email the clerk. Campbell chose not to respond to this discussion.

C. CHAIRMAN'S APPOINTMENTS – SUPERVISORS' RESPONSIBILITIES

Chairman Campbell explained that a few years ago, the board opted to introduce appointments by the chair; these allowed the supervisors to efficiently manage the day to day township duties between meetings and answer employee questions in their appointed areas (i.e. roads, cemetery, etc). Now, Campbell suggested that those appointments and responsibilities be rescinded due to the current conflicts. This would mean there would be no individual oversight and all problems/questions/decisions would be brought before the town board as a whole.

Motion by Campbell, seconded by Lundholm, to rescind the Chairman's Appointments. Discussion: Supervisor Comnick said the appointments were made for a full year and could only be changed at the next reorganization meeting. Chairman Campbell disagreed, saying the board can change them anytime based on its needs. Supervisor Lundholm asked if they could wait one month until more research can be done. Motion fails, with Campbell voting for it, Comnick voting against it and Lundholm abstaining.

D. \$1,000 SUPERVISORS' AUTHORIZATION

Motion by Campbell, seconded by Lundholm, to rescind the \$1,000 spending authority for supervisors between meetings. After much discussion, the motion was amended to state that all purchases and projects in every department must get *pre-approval* from the board. The only exceptions would be for the basic and reoccurring items needed to keep the office and fire department running (fuel, air card, air gas, postage). Motion carried unanimously, 3 – 0.

Former Treasurer Dave Beaudette was asked how it worked before the \$1,000 spending authority between meetings was implemented. Beaudette said the board essentially just gave their approval to a purchase/project (after it was complete) when they approved the disbursements at the meeting. If someone spent too much, it would not get approved and they would not be paid.

Fire Chief Gene Stevens took offense to a comment from Supervisor Comnick about the fire department's spending. Comnick said he had been asked repeatedly about the gravel costs, so it was also justifiable to ask where the fire department money goes. Stevens asked Comnick to provide documentation when he cites state statutes and information from MAT in the future.

E. CARIBOU PINES CENTURYLINK CABLE

The township was contacted by a CenturyLink engineer regarding plans to install a cable for the Caribou Pines Estate off of Kehtel Road. The board decided a utility permit would not be needed unless the road surface, right-of-way, or ditching would be affected.

Motion by Comnick, seconded by Campbell, to authorize Gary Oswell to review the plans and talk with the CenturyLink engineer. Motion carried unanimously, 3 – 0.

F. PURPLE LOOSESTRIFE/WEED QUESTION

Clerk Krasaway said a resident inquired about removing purple loosestrife weeds on Martin Road. Supervisor Comnick said it would be the county's responsibility since it is a county road. Chairman Campbell also gave the clerk three documents about controlling of noxious weeds.

G. UNFINISHED BUSINESS LIST

This is a list of ongoing/unfinished business before the board. The supervisors decided to table this for the time being and review it in the coming months.

H. LIST OF MEETING DATES

The supervisors were each given a list of the meeting dates for the several organizations to which the township belongs (SLCATO, DAT, ACTS, etc). It was confirmed that the first ACTS meeting of the year will take place at the Canosia Town Hall on September 16.

CORRESPONDENCE

- A notice for the September 11 hearing for Rice Lake Township's incorporation petition.
- The Proctor School District Fall 2014 newsletter; the Fredenberg Township Newsletter
- Notice for the township legal seminar October 4 in Cotton

MOTIONS TO PAY BILLS/ADJOURNMENT

Motion by Campbell, seconded by Comnick, to pay bills # ~~XXX~~-. Motion carried unanimously, 3 – 0.

Motion by Comnick, seconded by Campbell, to adjourn the meeting at 9:39 p.m. Motion carried unanimously, 3 – 0.

Respectfully submitted,

APPROVED:

Susan Krasaway, Clerk
October 1, 2014

Scott Campbell, Chairman
October 1, 2014