

## **BOARD OF SUPERVISORS MONTHLY MEETING**

### **September 8, 2015**

The September Monthly Meeting of the Fairview Township Board of Supervisors was called to order at 6:30 PM in the Fairview Town Hall on Tuesday, September 8th, 2015 by Chairman Jim Weizenegger with the Pledge of Allegiance. Other Board members in attendance were Supervisors Walt Richmond and Tom Dechmann, Clerk-Treasurer Marla Yoho and Deputy Clerk-Treasurer Sharon Owen.

Weizenegger/ Richmond/ Unanimous: Motion to accept the **Minutes of the August Monthly Meeting** as presented.

**Treasurer's Report:** Sharon reported the following month-end balances in the Township accounts: \$36,918.53 in Checking and \$52,462.24 in Money Market funds. Road & Bridge CDs total \$79,542.74 and Community Projects CD \$43,299.16. **Revenues for August totaled \$36,119.69** (\$3.46 interest, \$96.72 Electricity & Gas Reimbursement, \$11,574.88 Partial Insurance Pymt, \$1,920.00 Forfeited Tax Settlement, \$8,352.86 DNR Pillsbury Land Lease Revenues\* see below, \$14,171.77 In Lieu Settlement); **Expenditures totaled \$312,039.82** (\$5,093.00 Road & Bridge; \$151.72 Fire; and \$306,795.10 General Gov't expenses: Total includes \$300,967.82 in storm damage). Weizenegger/ Richmond/ Unanimous: Motion to approve the Treasurer's Report as presented. The \$250,000 loan from Bremer Bank was approved on Sept. 3<sup>rd</sup>. There was a \$100.00 application fee. The current balances in the checking and money market accounts (\$89,380.77 plus \$250,000 loan proceeds) will not be sufficient to cover the checks submitted for payment tonight (\$415,742.59) and still leave some operating revenues until the next tax settlement in December. Dechmann/ Richmond/ Unanimous: Motion to cash in the four CD's at BlackRidge Bank with the understanding that when the state reimburses the township for storm damage expenses, a portion of the proceeds will be used to purchase CD's at 75% of the existing values. (Aye: Dechmann, Richmond, Weizenegger) The current values of the 4 CD's are: \$26,379.09, \$26,379.09, \$26,784.56 (all Road & Bridge) and \$43,299.16 (Community Projects) for a total of \$122,481.90.

### **Road Report:**

**Pillager Lake Rd:** Tom has replaced the surveyors lathe stakes with rerod stakes to assure they are more durable. Tom also spoke with Roland Anderson, Sylvan road supervisor, to determine what help they could/ should provide on this road since the last portion of the road appears to end in Sylvan Township. Roland said, to his knowledge, Sylvan never claimed any portion of the road as theirs. Roseanne Brown has called the office again, questioning what can be done on her portion of the road, and what responsibility the township has in maintaining the road. Marla has contacted the county recorder and the auditor's office to find out how the road is classified in their records.

There is currently a large sinkhole developing in the road near the Brown's cabin and Roseanne would like some fill put in it. The real problem is that the road, as it extends beyond the turnaround near Vig's is very narrow and is getting overgrown. Also, because the Brown's drainfield or septic is located within the designated roadbed, there is no way for a large vehicle to get in there and then turn around.

Tom will review the situation with Jon Rardin and see if they can find a solution.

**Birch Bay Dr.:** A resident at 9863 Birch Bay Dr asked the township for help in getting a tree stump in the right-of-way either pulled out or chipped. Jon checked it and felt that pulling it out would possibly damage the roadway and ruin the retaining wall the resident has constructed in the area of the stump. Tom checked it and feels that bringing in equipment to chip it would possibly damage the retaining wall also, so felt it was better to do nothing.

**Perch Lane:** Bill LaTour contacted the township concerning an issue on Perch Lane, a private road extending off Hunter's Point Rd. There is a lake access lot which is communally owned by 5 other property owners. The lot is filled with downed trees and debris, which Bill considers to be a hazard if emergency vehicles had to get down the road. He asked if the township or fire department could either clean the lot or force the owners to clean the lot. Tom checked the road out and felt that it was plenty wide enough in that area for safe passage.

**Westwood Shores:** In years past Jon Rardin created a bermed splash way at the top of the road which was filled

with large rocks and Class 5. That berm has eroded and over time the gravel and rocks have washed down to the bottom of the road, which is private, and keeps accumulating in John Morris's catch basin at 10408 Westwood Shores Rd. They've had to clear out their catch basin every year lately. Tom will review the situation with Jon and see what can be done to make the berm more permanent.

**Roadside drain gutters:** Tom spoke about the problems we are having with the drain gutters constructed along the sides of the township roads to channel runoff water away from properties and to prevent water damage. As an ongoing problem these gutters fill with debris (leaves, branches, etc) and the water cannot be diverted. Rardin's does not own a "pelican" attachment which is needed to clean the ditches. The township has been incurring complaints about, and expenses to rectify, these drainage problems. When we redo our next road maintenance contract it will be necessary to add a clause about the need for a way to clean the gutters.

**Road Review:** On August 24<sup>th</sup> and 25<sup>th</sup> Marla and Tom went on a road review to compile lists of cleanup and tree work for Jon Rardin and Ted Sullivan. Both have completed most of the cleanup issues on their lists.

**Northfork Excavating:** Tom met a driver from Northfork Excavating, located in Pine River, who asked that we send him notice when we advertise for road maintenance contracts in 2016.

**Fondie Lane:** Marla has been working with the Cass County Recorder to assure the proper wording on the resolution and road order to get Fondie Lane recorded. Once the official documents came back, Marla wrote a letter to the 13 property owners on the road, explaining the process and their responsibility for reimbursing the township for the crack sealing. The \$3,840 expense broke down to \$295 per lot. The letters were sent out on September 3<sup>rd</sup> and the first check was delivered today.

**Anderson Minimum Maintenance Road:** Marla met with Katie Norby (County Recorder) and Paul Klinger (County Auditor's office) to decide how to correct the designation of Anderson Minimum Maintenance Rd to a driveway. Marla had to draft a certified affidavit describing the history of the road, as she knows it, which concludes with the township board passing the resolution to declare the road as a driveway. She said the (attached) Affidavit could be recorded as part of the Abstract at the county. Katie also suggested it be recorded as part of the Torrens Titles for both the Birch Bay and Willis properties, but that would require both parties to have their signatures notarized on the document. The board agreed that having it recorded on the Abstract might be sufficient at this time.

**Mayfair Minimum Maintenance Road:** Walt checked the trees on the road and said there are 20 trees down, but they all appear to have fallen from the May side of the road. Dave Horn spoke to Tom about it when they were here to meet with the HSEM. Tom will have Jon give him a cost estimate.

#### **Fire Report:**

The Fire Meeting was moved to later this month due to the Labor Day holiday.

**Pillager Park:** Walt reported the pavilion at the park was totally destroyed. They are working with their insurance agency to see how it can be replaced. There was also some fencing broken and many trees downed.

#### **OLD BUSINESS:**

**Levy:** At the annual meeting held in March the residents approved a levy increase of 3.5%, which equals an additional \$9,950 to the current \$284,100 levy. The levy must be approved to the Cass County Auditor by September 15<sup>th</sup>. In view of the depletion of reserves used to pay for storm cleanup, the Board discussed an acceptable increase to the levy. *Dechmann/ Richmond/ Unanimous:* Motion to increase the levy to \$310,000, or a 9% increase equaling \$25,900. (Aye: Dechmann, Richmond, Weizenegger) This amount was allocated as follows: \$75,000 General Fund, \$150,000 Road & Bridge, \$85,000 Fire Fund.

#### **Storm Damage Assessment Update:**

**Homeland Security Emergency Management (HSEM):** On September 2<sup>nd</sup>, Marla and Tom met with Ryan Blake Smith of the state Homeland Security and Emergency Management to discuss the process for making a claim against the state funds for reimbursement. According to Smith, the state will only issue one check so it's essential that all invoices and documentation be accumulated as soon as possible. Smith will compile them and hold until all damages and cleanup has been completed, then will issue a check. It will take a couple of months for HSEM to review the charges so the check could conceivably be issued by the first of the year, if we get all invoices in promptly. They will need copies of all contracts entered into with the cleanup and maintenance crews, documenting all rates for equipment, etc. In addition, he will need copies of our insurance with MATIT and the invoices for building repair and tree removal. HSEM will reimburse 75% of the difference between actual repair costs and what MATIT pays. This would probably be 75% of the \$2,500 deductible.

Marla's wages handling storm cleanup, etc may also be covered, but they have to be hours documented to be dealing with storm related issues, and they make an assumption that not all time worked was storm related.

That's almost impossible to document since she was getting phone calls from 6:45 AM to 9:45 PM, Monday through Friday and on the weekends, and they weren't documented on a time sheet. There will be some summarizing done. HSEM also needs copies of the minutes where her hourly wages were approved.

Most of the storm cleanup bills have been received. The only known bills we are missing are Rardin Construction for the repair of the siding and downspouts, and Northern Tree for the large trees and stumps Ted Sullivan recently took care of.

Including the invoices approved tonight, the storm related cleanup and town hall damage expenses total \$701,730.44. Deduct from that the check for \$11,574.88 received from MATIT against the town hall damage. We will probably receive another \$5,000 or so from them when the final bills are sent in.

**Town Hall Damage:** Trees were removed from the roof, the holes in the roof and the soffits have been repaired and the new roof has been installed. We are waiting for the siding to be repaired and the new gutter and downspouts to be installed.

**Road Right-of-way Cleanup:** The roadside cleanup has been completed for the most part. There will be an ongoing problem with weakened trees which will continue to fall, especially as wet, heavy winter snows put added weight on them. The Rardin crew did a good job of mowing the roadside ditches with the mulcher. There are some areas where smaller debris is still lying in the grass, but that will eventually deteriorate.

Ted Sullivan and his crews have removed several trees that appeared ready to fall into the roadway and posed a danger, and just topped others that were hanging over the roadway. If they fall now, they should land on private property. He has also chipped several tree stumps that were posing a danger in the right-of-ways. There are a couple of trees on White Pine and Norway roads that are leaning precariously and should be cut, but Marla will ask the loggers who will be working on the Maxson land to cut them.

The tree debris that was hauled to the Knife River gravel pit has all been chipped. The cost for chipping was \$41,486 (for 20,743 yards of compressed debris) with an additional \$1,075 charge for chipping 403 tree stumps at \$25 each. The charges also include a rough regrade of the property. The tree debris hauled to the Anderson Brothers pits after the Knife River pit closed on August 10<sup>th</sup> will be burned over the winter. Anderson Brothers has agreed to leave the Hartley Lake pit open to the public until November 1<sup>st</sup>.

#### **NEW BUSINESS:**

**DNR Pillsbury Forest Lease Revenues:** The State DNR issued an automatic payment to the Fairview checking account in the amount of \$8,352.86. Unfortunately, they made an error in their calculations and the actual amount should have been \$2,798.50. They couldn't automatically deduct the difference from our checking account so a check had to be issued for a refund of \$5,554.36.

#### **Clerk's Report:**

**Birch Bay Resort:** Marla received a call yesterday from Joyce Timm, a resident on S. Agate Shore Dr. She asked if Marla could provide her with a mailing list of all Fairview property owners on Gull Lake. The Agate Lake group would like to mail them a letter asking for donations to fund their fight against the Birch Bay RV Resort. Marla was hesitant to do that. The Board agreed that the township should not be in the business of providing mailing lists and Jim suggested that she contact GCOLA.

The Cass County Commissioners will be holding their meeting at the East Gull Lake city hall on Tuesday, September 15<sup>th</sup> at 6PM. Marla will be attending to participate in the committee report on replacing election equipment for the 2016 election.

Richmond/ Dechmann/ Unanimous: Motion to approve payment of all Claims as submitted. (Aye: Weizenegger/ Richmond/ Dechmann).

10915	Crow Wing Power	Electricity	113.00
20915	Xcel Energy	Natural Gas	29.80
30915	CTC	Internet	44.95
40915	CenturyLink	Telephone	79.88
50915	PERA	Retirement	398.14
60915	US Treasury	3rd Qtr Federal Withholding	730.00
70915	Minnesota Revenue	3rd Qtr State Withholding	229.50
80915	Bremer Bank	Loan Processing Fee	100.00
3921	Safety Tree Service	Balance Due on August Billing	119,510.75
3922	Rardin Excavating	Balance Due on August Billing	11,736.50
3924	Bolton & Menk	Survey Pillager Lake Rd	1,002.00
3925	Bolton & Menk	Gregory Dr- Quote Documents	862.50
3926	Tom Dechmann	Administration to 9/8	378.88
3927	Sharon Owen	Administration to 9/8	123.12
3928	Marla Yoho	Administration to 9/8	1,689.22
3929	Walt Richmond	Administration to 9/8	375.37
3930	Jim Weizenegger	Administration to 9/8	133.30
3931	MATIT Agency	Liability & Property Insurance	2,652.00
3932	YTS	Chipping Debris & Stumps	51,561.00
3933	Tom Dechmann	3rd Qtr Mileage	342.38
3934	Sharon Owen	3rd Qtr Mileage	27.12
3935	Walt Richmond	3rd Qtr Mileage	80.23
3936	Jim Weizenegger	3rd Qtr Mileage	33.90
3937	Rardin Excavating	Mowing & Mulching Debris	2,920.00
3938	MN Dept of Natural Resources	Refund of Overpayment	5,554.36
3939	Rardin Excavating	Roadside Debris Removal	10,877.50
3940	Rardin Construction	Repair roof- soffit & holes	1,259.43
3941	Rardin Construction	Reroof Fire Hall	13,800.00
3942	Rardin Construction	Temporary Repairs & Tarping	253.51
3943	Safety Tree Service	Roadside Debris Removal	188,844.25
		<b>Total</b>	<b>\$415,742.59</b>

Richmond/ Dechmann/ Unanimous: Motion to adjourn the meeting at 8:00PM.

Respectfully submitted,  
Marla Yoho, Clerk

Jim Weizenegger, Chair