

Town Board Meeting
October 10, 2013

Pledge of Allegiance
Communication Agreement Review

Roll Call: Barb Crow, Mary Anne Daniel, Don Sitter, Dave Miller, Mary Ann Sironen (Skipper)
Also present: Jo Thompson, George Sundstrom, Don McTavish, Kevin Pettis

Joint Use Committee Quorum Present: Mary Ann Sironen, Dave Miller and George Sundstrom.

1. Approve Minutes

- Town Board Meeting September 12, 2013
 - Barb Crow made a motion to approve the minutes, Don Sitter seconded. Motion passed unanimously

2. Meeting Schedule

- Joint Use Committee Meeting October 16, 2013
- Town Board Meeting November 14, 2013

3. Approve Agenda

- Additions
 - Skipper: Old Business - Senior Options planning.
- Motion to approve
 - Don Sitter made a motion to approve the amended agenda, Barb Crow seconded. Motion passed unanimously

4. Tabled Agenda Items: None Pending

5. Request to be on the Agenda: None

6. Concerns from the Audience: None

7. Treasurers Report

- Beginning Balance \$1,068,103.76
- Deposits \$ 2,400.91
- Expenses \$ 37,123.04
- Ending Balance \$1,033,381.73
- Review Claims List for Approval
 - Claim # 1664: lawnmowing for NSCS. Approved for payment.
 - Late Bill request: \$14867.56 Rodda Grading.
 - Supervisor desk claim: Down payment request. The desks will come slightly under budget.
 - Claim #1656: Senior Housing mailing, a one-time only payment.
- Pay Bills: Bills approved for payment with the above amendments.

8. Department Report

- a. Police Department.
 - Citizen complaints of speeding on Ryan Road Sunday mornings.
- b. Fire Department
 - Chief Bob Engelson there is nothing to report all is working smoothly.
 - Harvest Dinner coming up on Saturday from 5:00 – 7:00 p.m.
- c. Planning and Zoning
 - The Planning Commission met last month Clint Little gave a talk about trails and is planning to come back this month bringing maps and assisting with the creation of a trail inventory list.

- John Schifsky has been working on the Congdon Trust property and intends on meeting with Judy Gibbs for a discussion on what we can do together to maintain the Congdon trust land so it holds soil. Bob Bruce is interested in looking at legalities on Congdon trust lands.
- Permits have been coming in steadily.
- Planning Commission meetings for the next two months: Due to the holidays we usually combine November and December. As of right now there are no upcoming public hearings.
- Next big project is stormwater management with our MS4 application. On Monday Jo, Val and Sue met to discuss the new complex MS4 requirements, on Tuesday Don Sitter, Jo and Sue met and Wednesday Sue met with Clint Little. Sue discussed the “Framework” for our Storm Water Management permit and noted the Town of Duluth is the only jurisdiction allocated an amount they can “put into the lake”. The County puts in far more but they have no allocation allotment restrictions and so are not counted. It has been determined that we will have to change our ordinance to meet the new requirements. Due to the short time line our ordinance change will not meet the December requirement which means we now need to provide a timeline and plan on how we will meet the requirement. If the Town Board agrees it might be time to move Stormwater from Roads to Planning then appoint a team (Jo Thompson, Val Brady and Don Sitter) with approval for that team to work with other local jurisdictions also affected by the new requirements. Dave Miller made a motion to accept Sue’s recommendations for decisions on this project and will investigate compensation for those involved, Mary Anne Daniel seconded. Motion passed unanimously. There could be funding in the Coastal Grant. The Supervisors need to talk to elected officials and show the “one size fits all” documentation requirements are proving to be a huge burden on Townships. More information will come as the team moves forward.

d. legal

e. Roads

- Stormwater as discussed under Planning.
 - A Grant was approved for mapping the culverts and ditches.
 - First product is to purchase a GPS unit.
 - This goes to the MS-4.
- General Maintenance
 - Finishing up work for the season; there are a few culverts left to install, some cleanup on Greenwood Road and grading will begin at the end of October.
 - Remaining projects were completed for FEMA.
 - Some Stop signs are obscured on Greenwood Road if there is a little money left brush and trees will be clipped to make the stop signs more visable.
 - We haven’t brushed roads for years the County does.

f. Community Center

- Joint Use Committee: Barb Crow brought a budget proposal for the Recreation Department and Community Activities.
 - The recreation department budget should only be wages, office supplies, telephone and small items for games such as flags for flag football.
 - Anything for grounds and maintenance should be kept under the Community Activities Budget.
 - Change the name from Community Center fund to Community Activities Budget.
 - Budget for Community Activities: We need to be 100% responsible for our equipment and so a budget of \$2000.00 was suggested. Dave Miller suggested moving the amount from \$2000.00 to \$5000.00. If we are responsible for 100% of the repair and maintenance those items should not be filtered through the Joint Use Committee.
 - One supervisor should have the Town Board’s permission to sign off to a ceiling amount. Don Sitter recommended having a back up supervisor with the supervisors being chosen at the Program of Work. Kevin would contact the designated supervisor for questions and issues.

Discussion:

Barb Crow: This equipment is going to be used to mow the grass around NSCS, the sprinkler will be used to sprinkle fields school students will use so a wear and tear percentage should be considered. Shared Facilities repair/maintenance was given \$20,000.00. This is not 100% of the anticipated cost the \$20,000.00 should represent a percentage (possibly 60 – 70%) of the total cost? By 2015 we will have actual data we can use to prepare a better budget. It is hard to put a number on use (people hours).

Don Sitter: what we were looking at is the anticipated cost to repair and maintain anything.

Kevin Pettis: we really don't have any history. The history we have was in purchase and install now we have to figure out maintenance and repair.

Mary Anne Daniel: the joint use agreement was drawn up because we transferred the community center valued at \$900,000.00 because we couldn't give it to them, we are exchanging for "use". So I'm thinking we need to show the value of our use but then why are we paying for the use?

Skipper: In the Joint Use Agreement we were very careful not to put in any maintenance. We do have improvements in the property which were written into the Joint Use Agreement.

Barb Crow: you are saying we shouldn't have to pay for any amount of the repair and maintenance because that is part of the value we were to get?

Mary Anne Daniel: I'm not saying we shouldn't be paying but I'm saying we are getting "use" for transferring the building that seems to be getting lost in this process. We should somehow be able to document what we are getting back.

Don Sitter: there are three things going on.

Barb Crow: if we are maintaining it we are paying.

Skipper: it will be maintained as ABC sees fit.

Sue Lawson: What Barb has created is what might be brought before the Town Board as shared utilities.

Skipper: how are we going to pay for this? From the Communities activities funds so we can meet these requirements?

Mary Anne Daniel: we also need to subtract the value of our use or it doesn't mean anything.

George Sundstrom: what I am hearing here is ABC has a contract with the Town of Duluth which specifies how the property is managed for the joint use of the participants. If you make changes to the Joint Use Agreement you will be hearing from my attorney.

Barb Crow would like to propose a 5 minute recess.

8:05 meeting recessed

8:10 meeting resumed

Sue Lawson: I think what you are dealing with is; for payment of the transfer you received "in kind" use. You have to think about how to factor that in how do we maintain the Town's property, in general terms, how do you balance the amount of use for in kind payment on the structure and property they received. You need to think about how all that fits into what the people of the community use. What your share of doing things with the field is both a

difficult situation and an opportunity. Dave and Skipper will be going to the joint use committee where nothing is set in concrete.

Skipper: we might want to read through the joint use agreement again.

Don Sitter: in general terms we transferred the school and property and the community gets use of that, improvements come through the Joint Use committee. If someone wants to improve the building they then come before the joint use committee and ask if the improvement is appropriate. The question that it comes down to is maintenance.

Kevin Pettis: maintenance is a real factor in this it is something we are going to have to pay.

Sue Lawson: If ABC sees the soccer fields as ok and NSCS sees the soccer fields as ok but not ok for ASCS then it means the town says "no it isn't ok" then simplistically ABC says if you want the fields updated then you update the fields. The Town could look at this as how much money can you make on the Community Center fund and how much money do you have for recreation that is how much money you have for the first year.

Skipper: what we do know is the assessment of the Community Recreation budget is what we have to pay for, we have only levied for a salary we never levied for the other budget.

Barb Crow: To continue the Community Activities Budget; we now have shared utilities, lights were noted in particular. Once the Town transferred ownership to ABC the Town had to close their account with Minnesota Power. Phil Strom indicated at the closing that they had already set up an account for the warming house. If we don't invest the fund and we spend only on maintenance, repair and utilities as outlined in the budget and figure in an annual 3% inflation rate, the Township would spend \$304,366 in ten years and deplete the fund by the end of the 15th year.

Skipper: this is good information.

Barb Crow: we did get a recommendation on a financing firm who does know about township financial law in investing, the recommendation came from MAT.

Dave Miller: This brings up some good information for discussion, good check list to look at but does not require immediate action.

- Sue Lawson: The agenda for the Joint Use Committee will be e-mailed Friday.
- The JUC will meet at the Town Hall at 5:00 p.m. October 16th.
- Community Education
 - No report. At the exit interviews the Community Education project will be discussed. Don and Barb will put together a proposal for the future of Community Education.
- Recreation
 - Community Center Rental Policy/Agreement and form: A rental form for events and activities after hours which come through the Recreation department, this is one of the ways we are tracking our "people" hours. The agreement says the Town can charge for community use activities. Sue Lawson: looking at it from the perspective of the Town, ABC and the School, what is the easiest thing for the community? What is the easiest for the user? If you charge where does the money go? Answer: Right now it goes back to the recreation fund within the Community Center fund. Table until November.
 - Eyesores: There is still stuff left over from contractors building on the site. Something like that needs to go through the Joint use Committee we no longer own the building.
 - Budget: Kevin would like to present his budget in November.
 - Kevin is receiving Community Education questions which he will forward to Michelle and Tera until the end of November.

g. Town Hall

- Supervisor Desks: Dale Sohlstrom has created a proposal which is very much like what had been discussed at the last Board meeting.
- ADA Entrance: Has gone out for bids.
- IT Service for the Township: Barb Crow made a motion to designate Jaws Computer Service in Two Harbors as our IT service and to give the clerk permission to contact him when needed and to help Beth, Clerk and the Treasurer purchase new computers. Dave Miller seconded. Motion passed unanimously. If we have problems and call him he will not charge us to come out and do diagnostic if there is a problem he charges \$90.00 per hour. If there is a computer virus he then charges a flat fee of \$190.00.
- Surveillance Camera: We are installing 4 surveillance cameras at the Town Hall. The cameras can be upgraded to 8. Include in the next newsletter.
- The Homesteaders are purchasing 10 - 10' tables (\$1000.00) and are asking the Township for a contribution. Sue Lawson asked for some round tables in addition to the long tables. The offer to purchase tables was much appreciated by all of the Board members. Barb Crow made a motion that the town purchase 10-8' long tables to replace our current heavy tables and 2 up to 6' round tables Dave Miller seconded. Motion passed unanimously. The Homesteaders own the old tables and will decide how they wish to dispose of them.

h. Materials Management

- Window and lights have been repaired/replaced.
- A notice will go in the newsletter letting residents know there are now security cameras.
- No plan for aluminum cans in the future.
- D/NSSD debt retirement for 2014 will be \$1000.00.

i. Cemetery

- It has been a quiet month only one cremation burial.

j. Communication

- Check the web site every so often and get any changes or updates to Linda.
- Newsletter: we will no longer include an insert for NSCS in our newsletter. The insert is difficult to get from NSCS and is generally not timely. Until now the insert has been paid through the Townships Community Center fund but now that we no longer own the building we will no longer use the Community Center fund to pay for the insert however we would be happy to include an article at no cost if they wish. Don McTavish needs to set guidelines on what he needs to get his newsletter out in the timeline he has set.

k. Personnel: Community Education and Stormwater which has already been discussed.

l. Correspondence

- Minnesota Department of Health: Grant Opportunity
- Duluth/Superior Metropolitan Interstate Council
- Federated Co-ops: Propane Safety Information
- St. Louis County: Tax Forfeit Land
- 2014 WLSSD budget

Old Business

- Community center Fund: discussed under Joint Use Committee.
 - Name for 5th member.
 - Community Recreation Budget.
 - Community Activities Budget.
 - Budget Fund/Investment.
- Senior Options Meeting 6:30 p.m. November 6th at the Town Hall.
- Board of Audit and Equalization training.

New Business: no new business for this meeting.

Motion to Adjourn: Dave Miller made a motion to adjourn Barb Crow seconded. Motion passed unanimously at 9:34 p.m.