

Town of Duluth
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Town Board of Supervisors
Regular Board Meeting March 10, 2016

Attendance: Wendy Gustofson, Travis Stolp, Don Sitter, Mary Anne Daniel, Dave Edblom

1. Call to order
 - a. Pledge of Allegiance
2. Approve Minutes
 - a. January 7, 2016: Special Meeting to discuss the Security Proposal
 - Mary Anne made a motion to approve, Dave Edblom seconded. Motion passed unanimously
 - b. February 11, 2016: Town Board Meeting
 - Dave Edblom made a motion to approve, Travis Stolp seconded. Error – typo page 3 in the middle, total funds total committee should be total committed. Motion passed, Mary Anne Daniel and Wendy Gustofson abstained.
3. Approve Agenda
 - Wendy made a motion to approve the agenda, Travis seconded. With the following additions the motion passed unanimously.
 - Additions:
 - Wendy Gustofson: Under Old Business - Clover Valley School.
 - Wendy Gustofson: Under Cemetery - new building.
 - Don Sitter: Under Joint Use Committee – utility reserve.
4. Finances
 - a. Treasurers Report

Beginning Balance	\$581,295.42
Deposits	\$ 35,507.70
Expenses	\$ 31,212.86
Ending Balance	\$585,590.26

 - i. Review Claims List for Approval
 - ii. Approve Bills and sign Payroll Net Pay Account Distribution: All bills were approved for payment.
5. Public Comment
 - A question about the procedure used for transferring funds between departments; about the authorization of moving such funds and a comment that there was no record in the minutes about transferring funds.
 - Wendy Gustofson: The December minutes discuss the transfer of funds between departments.
6. Department Reports
 - a. Police
 - Change in Liquor License Designation for New Scenic Café: would like to serve alcohol in their yurt and garden space. Wendy made a motion to allow the New Scenic Café serve to liquor in the yurt and garden, Don Sitter seconded. Motion approved unanimously.
 - b. Fire
 - Alden Township's fire service check will be coming soon.
 - 4th bay on Hall #1. Sue will activate and coordinate the building committee.

- The Winter frolic was held at North Shore School last weekend, the fire trucks were in attendance. Would it be possible to expand on that next year? Answer: We used to do it during Fire Prevention week for the preschool and kindergarten classes. It was always done by invitation.
 - Mary Anne would like to thank all of the “employees of the township, Departments I have worked with; Emergency Operations committee, Don McTavish, Fire Department, Cemetery (Molly Tillotson) and the Town Board but especially Don Sitter for putting principals before personalities”.
- c. Planning and Zoning
- i. Storm Water – The area that was plowed between the community room and the recycling shed needs a fence to keep people from driving and parking. Next year that should also be cordoned off to keep people from plowing snow into the area. Roger Beck will place barriers.
 - ii. Directors Report
 - A greenhouse was put up without a permit, the commission looked into what use the structure would fit under in the current zoning ordinance. What kind of permit; over the counter or Conditional Use or a permit with uses. Some decisions should be made this month.
 - Projects: The commission usually works on projects during the year other than public hearings, if the town board has any suggestions let Sue know.
 - Trails: nothing has been received from James yet. The Trail Plan will be reviewed in March and possibly be brought before the board in April.
- d. Legal
- Tim received a call from Jim Reed of the State Auditor’s office with a heads up. The Auditors office will send a memo/position paper to this township and a number of townships (Lutsen Tofte, Schroeder) who have relationships with charter schools. This is not enforcement demand, the Auditors office wishes to give guidance. Under MN Statute 471.85 transfer of funds to charter schools is not permitted. There was a complaint lodged with the Auditors office however no discussion was allowed regarding the complaint.

Question: What is the difference between the State Auditor office and the State Attorney General office?

Tim: The State Attorney General is the legal office; the State Auditor focuses on money and financials.

The rent money that came to the township has always been town money. When we transferred the money to ABC we transferred it under the Use agreement.

Question: Didn’t the community center fund come before the use agreement? That makes it after the fact. When the money comes into the township it is town’s money but the community center isn’t.

Tim: that is township money (community center funds). Money was flowing into the town before the joint use agreement. Since the joint use agreement there is no money coming in instead it addresses the money that was already there.

When the letter comes from the Auditor (auditor’s findings) it should be shared with both ABC and North Shore School as well as the entire Town Board. This reaffirms the need to continue the Joint Use Committee. The guidance memo would be coming around fairly

quickly. Point of Process when the letter comes it needs to be acted on. Wendy will make sure the letter is sent to ABC and North Shore School.

Acknowledgement of both Don Sitter and Mary Anne Daniel, thank you.

- Matrix: at some point decisions need to be made and we will need to start over. The items that are sitting there need to have decisions made and get them off the table status. As of now the Trails project is tabled and denied by ABC.
- At our special meeting it was stated the form needs to come to the board once completed. The form itself has never been voted on, we voted on the security system on the form but never the form itself. The new board should take a look at the form and formalize it.

e. Roads

- Alseth Letter: A draft copy was provided to the Town Board for their review.
- Road limits went on Tuesday
- Bob Rodda has received no complaints on his grading.

f. Joint Use Committee

- Don Sitter made a motion that the Town of Duluth would like to continue to support the community's skating rink activities at the North Shore Community School well into the future. The town's current support for the skating rinks comes in the form of paying the electric bill for the lights for the skating rink, for one portable bathroom during the skating season and for minor repairs of the warming house. At a cost of approximately \$2000.00 per year for the electric lights, approximately \$250/year for the portable bathroom, and an estimated cost of \$1000/year for minor repairs to the warming house, this totals to a cost of \$3250/year. To ensure we are able to cover these expenses for approximately the next 20 years, I move that we transfer \$65,000 from the Community Center Fund to a new fund titled the "Skating Rink Fund"; reserved and used solely to reimburse ABC for the cost of the lights at the skating rink, the costs of having a portable bathroom on site for the skating season and minor repairs to the warming house when needed. Mary Anne Daniel seconded.

Discussion:

- Travis would vote no, we should levy funds.
- Dave Edblom I don't believe it is a bad use of the money but I can't vote for it in its current form, I would have to cut the number of years in half.
- Wendy would vote no I don't think we should make the decision tonight. I don't believe the motion is necessary at this time I think that the funds are better spent elsewhere therefore cannot accept it at this time.
- Don my reason is it is a community function it is an appropriate use. We are getting billed for it now we should continue to fund it.
- Mary Anne would vote in favor it is a good way to secure funds for something that is already there.
- Split the motion.
- Vote on the Motion: Motion failed. Wendy no, Travis no, Don yes, Mary Anne yes, Dave no.

g. Town Hall

- Don Sitter turned over the new addition punch list to Dave Edblom.

h. Materials Management

- Grant application is together and will be sent into WLSSD
- Carolyn received the 2015 recycling report
- The Township has an ordinance that it is mandatory to have garbage service but no enforcement guidelines.

i. Emergency Planning

- Board Letter: Mary Anne made a motion that 1. The Town Board approves a one-time amount not to exceed \$2000.00 for the purchase of permanent equipment and supplies for the initial stocking of items needed for Emergency Management Operations Center. 2. That the Town Board add a line item to the annual budget under the Public Safety/Emergency Management Department of \$1000.00 to maintain equipment and replenish supplies. 3. That the Town Board allocates part of the second floor of the Town Hall (the former Police Office) is made available to the Emergency Operations Center. 4. That the Board adds an additional phone line for dedicated use by the Public Safety Department. This would not be a public number. Wendy seconded.
 - Mary Anne Daniel will contact Lake Connections.
 - Don has no problem has no concern with anything other than the heat upstairs in the former police department.
 - Mary Anne Daniel will amend her motion to remove #4 and will bring that back to a different meeting but will keep items #1, #2 and #3 in the motion.
 - Wendy would vote yes for this it is common sense; Don would vote yes, this is good use for town funds for emergencies.
 - Mary Anne: we have put a lot of time and effort into creating an emergency plan and have worked hard to do everything we can to make the citizens prepared for anything that happens.
 - Funding will be from General Fund.

Motion on items #1, #2 and #3 passed unanimously.

- j. Cemetery
 - Storage building: The building is an issue but on the other hand the building is only used for Memorial Day and storage for some shovels and rake, it is not a top priority. The building has cracks in the block walls and the window needs to be replaced. The floor is a problem.
 - k. Communications
 - Don McTavish does a super job on the Newsletter.
 - l. Personnel
 - Look for 2016 COLA
7. Old Business
- Clover Valley School: The property is now under tax forfeit status and will be managed by the County. A recent fire added to the already dilapidated state of the property. It would be a good action to have both the township and the county work together then go to the IRRRB. While we don't own the property we can work with the county on the clean-up process.
8. New Business
- Thanks to Don Sitter for all of the work he put into Planning and for working on the town hall and for being chair, Thanks to Mary Anne for all of the work she put into emergency planning and her due diligence.
9. Correspondence
- United States Department of Commerce Census Bureau – 2016 Government Units Survey: Dave Edblom will review
 - DAT minutes
 - Minnesota Department of Health
 - Essentia Health Regional Wellness Center Update
 - Good News Newsletter
 - St. Louis County Association of Townships agenda and newsletter
 - Spring Short Courses
 - CenturyLink : Construction season
10. Meeting Schedule

- a. Board of Appeal and Equalization 6:00 – 7:00 p.m. April 5, 2016 Wendy and Dave will look for the training.
 - b. Town Board Meeting 7:00 p.m. April 14, 2016
11. Adjournment: Wendy made a motion to adjourn, Dave Edblom seconded. Motion passed.