

January 10, 2022

**PERCH LAKE TOWNSHIP  
MINUTES OF THE REGULAR MONTHLY MEETING**

**1. CALL TO ORDER AND ROLL CALL**

Chair Gary Harms opened the meeting at 7:00 p.m., calling for a roll call. Supervisor Keith DePre hosted the meeting on Zoom.

Board Members: Chair Gary Harms, Supervisor Steve Olson (virtually), Supervisor Keith DePre, Treasurer Cheri DeMenge, Clerk Lora Eames

Contractor: Tom DeLovely

**2. REVIEW AND APPROVAL OF AGENDA.**

**MOTION (DePre/Olson):** To approve the January 10, 2022, agenda with the addition of New Business NB-9g – “Revisit Discussion of Town Hall Rentals.” Motion carried.

**3. REVIEW AND APPROVAL OF MINUTES.**

**MOTION (Olson/DePre):** To approve the December 13, 2021, regular meeting minutes as recorded. Motion carried.

**4. RECEIPT OF NOTES FROM AMERICAN RESCUE PLAN ACT (ARPA) COMMITTEE.**

Chair Harms acknowledged receipt of notes from the January 3, 2022, ARPA Committee meeting.

**5. TREASURER/CLERK REPORTS.**

**a. Review/Approve Treasurer's Report**

Treasurer Cheri DeMenge provided the Treasurer’s Report for December 2021.

**MOTION (DePre/Olson):** To approve the Treasurer’s Report as presented with a cash balance of \$505,071.72 for the month ending December 31, 2021. Motion carried.

**b. Informational Clerk's Budget Report.**

(1) Clerk Eames reported that the Township recently billed the Cloquet Area Fire District \$1,175.01 for fourth quarter reimbursement of Station 2 costs.

(2) Monthly Operating Budget for December 2021

Projected Revenues	\$171,967
Revenues Received YTD	<u>-177,654</u> *
Excess Revenues Received	\$-5,687

Projected Expenses	\$185,653
Disbursements Made YTD	<u>-161,322</u>
Under Budget YTD	\$24,331

\* Items not incl. in revenues received: \$31,702 from Enbridge and \$58,848 from ARPA.

6. **REVIEW AND APPROVAL OF CLAIMS FOR PAYMENT**

The supervisors approved the following claims for payment:

- a. **MOTION (Depre/Olson):** To approve payment of regular claims for January 2022. Motion carried.

Table with 2 columns: Amount and Description. Rows include: \$ 2,283.31 Late claims list for December 2021: Claim Nos. #4614-#4615; \$ 5,281.74 Regular claims list for January 1-31, 2022: Claim Nos. #4616-#4630; \$ 906.41 Employee payroll for January 5, 2022; \$ 2,354.56 Regular payroll for January 10, 2022; Total \$10,826.02.

- b. **MOTION (Olson/Depre):** To approve payment of American Rescue Plan Act (ARPA) claims for January 2022. Motion carried.

Table with 2 columns: Amount and Description. Rows include: \$ 4,855.74 Current claims assigned to ARPA; Total \$4,855.74.

7. **REPORTS.**

- a. **Cloquet Area Fire District (CAFD).**

Town Chair Gary Harms reported the following resignations:

- CAFD Chief Matt Ashmore (late November)
- Chairman Bob DeCaigny
- Public Information Officer Sarah Buhs
- Two firefighters

Jesse Buhs has been appointed the Interim Fire Chief until the CAFD Board decides how to fill the position permanently. The levy committee has submitted a zero percent levy increase for next year; yet even with this budget, the District will be able to purchase a new fire truck for \$500,000 and hire three new people in July of 2022.

- b. **Big Lake Area Sanitary District (BLASD)**

- (1) History

The BLASD has been in a “holding” pattern since the FDL Reservation withdrew from the joint powers’ agreement on March 18, 2021. In December, Attorney Frank Yetka told the Town Board that the District exists as a legal entity until it is dissolved. As a next step, Town Board supervisors hired Yetka to contact the Minnesota Pollution Control Agency (MPCA) regarding the District’s status and the Town Board’s desire to maintain and not dissolve the District. Yetka sent the following email on December 21, 2021. (The email below includes only a portion of Yetka’s email. The complete email is on file with the Clerk.)

“Subsequent to the meeting on December 13th, I reached out to the MPCA, the Attorney General’s Office and the Office of Administrative Hearings regarding the status of the District. Based upon those contacts . . .there would not appear to be any legal problem leaving the District in existence even if it is not presently operating if there is any plausible chance the project could be resurrected... I see no problem with the Board paying its expenses and meeting from time to time to do so as necessary especially since the levy of taxes will not be occurring. . .”

(2) Report from Depre

After some discussion, Supervisor Depre recommended the following steps:

- Have the BLASD Board meet to pay bills, including those for errors and omissions insurance and Debbie Gellatly's services.
- Have the Town Board authorize a transfer of funds to the BLASD Board to pay for minimal operating expenses. (This was discussed later in the agenda.)
- Send a letter to the Western Lake Superior Sanitary District, explaining the BLASD's current inactive status, and asking the WLSSD to reserve the District's allocation.

The BLASD Board members include Gary Harms, Keith Depre, and William Jaskari.

c. **Road and Bridge.**

(1) Contractor Tom DeLovely had nothing new to report.

(2) Watkins Spur Project

Supervisor Olson reported that he and Clerk Eames sent updated RFQs (Requests for Quotes) – one for the rebuild and one for paving – to local contractors. (The contractors included DeCaigny Excavating, Kiminski Paving, Northland Constructors, Omar's Sand & Gravel, and Sinnott Blacktop.)

(3) In addition, Supervisor Olson reported that he had received:

(a) A call from Robert Dahl, County Transportation, about a downed tree on Reponen Road. DeLovely was not available, so Olson removed the tree.

(b) A call from Adam Kiminski regarding the Magney Drive pavement which had been gouged by Enbridge (or Enbridge contractor) equipment. Patrick DeChant has been laid off from Enbridge, and Todd Golley is the new contact. Olson asked Golley if he could have Enbridge deal directly with Kiminski, rather than sending the funds to the township; Golley will check with Enbridge.

(4) Taysha Martineau, Driveway Permit for 3124 Magney Drive

Harms asked about the enforcement status of Taysha Martineau's violation of her permit. (Town Attorney Gilchrist's email of November 8, 2021, reported that he had received no response to his letter. The good news was that the certified letter sent was not returned as "undeliverable.")

Olson reported that Martineau was still in violation of her permit, but nothing could be done until spring. He needs a receipt from Gilchrist; the postal date on the receipt would be important in enforcing the thirty days provision of the Town's Right-of-Way Ordinance. Eames will check with Gilchrist regarding a receipt.

The current issue is noncompliance with driveway permit and there is no permit application for the second driveway.

8. **OLD BUSINESS**

a. **Old Housekeeping Items**

Harms noted that a handicapped parking sign is missing from the parking lot.

b. **Report on American Rescue Plan Act (ARPA) Funds**

(1) Updates, including report on ARPA Committee meeting, January 3

(a) Eames reported that the Minnesota Association of Townships (MAT) has notified townships that the US Treasury has announced that ARPA funds received by townships can now be put into the general fund and be used towards general governmental services, including roads. This final rule takes effect April 1, 2022. (The Treasury determined that lost revenue may be defined by Option B, which states that if a town received less than \$10,000,000 from ARPA, it may use the standard allowance, which allows them to designate all ARPA funds as lost revenue.)

(b) Committee

Eames reported that the ARPA committee members met on January 3, 2022, and discussed their research and ideas. (Everything is in the notes.)

DeMenge discussed the following ideas coming from the committee:

- Opening the Town Hall for use by the community, i.e., specified days each week or month, a few hours each time, whereby residents could come and have coffee and refreshments, socialize, and play games.
- Allowing local clubs, such as a quilting club, to use the Town Hall without a rental cost for their activities.
- Helping local businesses who were impacted by the pandemic.

(c) Board Discussion and Instructions to Committee

The supervisors expressed support for opening the Town Hall up to the community, provided Omicron is not a major issue.

Olson reminded everyone that the Town Hall has a holding tank which must be upgraded to accommodate the proposed expansion of uses. The Town Board has sought to purchase additional land for this purpose from an adjacent landowner. Olson has contacted this landowner, but has not heard back; so, he proposed that the Town Board send a letter to the landowner.

Depre suggested having additional discussion about renting to special groups and clubs, so that every group is treated with the same consideration.

Harms advised the committee to prioritize its ideas and return to the board with a few good projects.

c. **Discussion/Action: Township's Next Steps re BLASD.**

Depre noted that the BLASD Board should meet soon to conduct routine business. In the meantime, the Town Board could transfer funds to the BLASD Board to keep it operating.

**MOTION (Depre/Olson):** To transfer \$5,000 from Perch Lake Township to the Big Lake Area Sanitary District as a grant. Motion carried.

d. **Status of Watkins Spur Rebuild and Paving Projects.**

Olson reported that he and Eames sent out RFQs at the end of December; they set the deadline for February 14, 2022, the next Town Board meeting.

e. **Discussion of Question: Do We Charge Resident the Cost Increase of Culvert?**

Supervisors discussed the Coralee Nelson driveway permit application, whereby Olson received an estimate from the County for the culvert and gave that estimate to the applicant. The applicant paid for the culvert. Later, the County's cost increased, and they passed the increase onto the Township. Does the Township pay for the increase or require the applicant to pay for the increase?

Olson explained that the resident applied for the driveway permit last August, obtained a wetland permit from the reservation in November; in the meantime, costs for the culvert went up by 34%. (The culvert is in the ground.)

**MOTION (Depre/Harms):** To require the Township to:

- Cover the increased cost for the culvert for the Coralee Nelson permit.
- Inform future permit applicants that they will receive an estimate for the culvert but must pay the actual cost.

Motion carried.

In addition, Olson noted that the ordinance should be modified.

**9. NEW BUSINESS**

a. **New Housekeeping**

None.

b. **Consent Agenda.**

The supervisors approved the consent agenda with one motion without discussion or debate.

**MOTION (Olson/Depre):** To approve the following items on the consent agenda as presented.

Motion carried.

- (1) Approval of schedule of regular meeting dates for 2022, to include the designation of Monday, October 10, 2022, Columbus Day, as a non-holiday for the purpose of conducting public business.
- (2) Approval of compensation and mileage (as needed) for officers attending training and non-regular meetings, including online courses.
- (3) Approval of additional posting sites for meetings and other notices besides the Town Hall and Recycling Shed - Big Lake Golf Club, Lounge on Big Lake Shores, Sawyer Community Center (if open), and website.
- (4) Designation of Town's depositories: Frandsen Bank, Members Cooperative Credit Union, and Cornerstone State Bank as an alternative if needed.
- (5) Designation of Town's official newspaper as the Pine Knot.
- (6) Adoption of 2022 IRS standard mileage rate of \$.585.
- (7) Approval of 2022 Pay Equity Report, as required by Minnesota Department of Revenue.

c. **Annual Resolutions**

- (1) **MOTION (Depre/Olson):** To approve Resolution 2022-001, authorizing a contract with interested officer, Supervisor Gary Harms. Motion carried. *2 in favor/1 abstaining-Harms.*
- (2) **MOTION (Olson/Depre):** To approve Resolution 2022-002, authorizing a contract with interested officer, Treasurer Cheri DeMenge. Motion carried.
- (3) **MOTION (Depre/Olson):** To approve Resolution 2022-003, authorizing a contract with interested officer, Clerk Lora Eames. Motion carried.
- (4) **MOTION (Depre/Harms):** To approve 2022-004, authorizing a contract with interested officer, Supervisor Steve Olson. Motion carried. *2 in favor/1 abstaining-Olson.*
- (5) **MOTION (Harms/Olson):** To approve 2022-005, authorizing a contract with interested officer, Keith Depre. Motion carried. *2 in favor/1 abstaining-Depre.*
- (6) **MOTION (Olson/Depre):** To approve Resolution 2022-006, authorizing a contract with spouse (David) of interested officer, Clerk Lora Eames. Motion carried.

d. **Annual Town Board Election of Chair and Vice-Chair.**

**MOTION (Depre/Olson):** To renew the election of Gary Harms as Chair and Steve Olson as Vice-Chair. Motion carried.

e. **Annual Town Board Assignments.**

The supervisory consensus was that their current assignments should remain the same.

f. **Approval of Interfund Transfers.**

**MOTION (Olson/Depre):** To approve an interfund transfer of \$30,000 from the General Fund and Road and Bridge Fund to the Road & Bridge Capital Improvements Fund. Motion carried.

g. **Revisit Discussion of Town Hall Rentals.**

The consensus was that the Town Hall should not be rented out on the Friday before a board meeting when the Clerk and Treasurer are processing claims, or the weekend before an election when voting equipment is installed.

10. **VISITOR COMMENTS**

Foreman Tom DeLovely commented that the County is taking too long to plow township roads, sometimes not plowing roads until the next day. Olson will check into the matter.

11. **ADJOURNMENT.**

Chair Harms adjourned the meeting at approximately 8:05 p.m.

Respectfully submitted,

Approved by Town Board

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Lora Eames, Clerk

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Gary Harms, Chair