

May 10, 2021

**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. with a roll call.

Members: Chair Gary Harms, Supervisor Steve Olson, Supervisor Keith Depre, Treasurer Cheri DeMenge, and Clerk Lora Eames

Guests/ Contractors William Jaskari, Owner, Lounge on Big Lake Shores and Big Lake Golf Resort  
John Fredrickson, Chair, Big Lake Area Sanitary District (BLASD)  
Tom DeLovely, Road Foreman

Supervisor Depre hosted the meeting on Zoom.

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

**MOTION (Depre/Olson):** To approve the May 10, 2021, agenda as presented with minor changes.  
Motion carried.

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

**MOTION (Depre/Olson):** To approve the April 12, 2021, regular meeting minutes as recorded.  
Motion carried.

**MOTION (Olson/Depre):** To approve the April 26, 2021, public meeting minutes as recorded. This meeting was to discuss the final draft version of the Township's Right-of-Way Ordinance (to be considered by the Town Board on May 10, 2021). Motion carried.

**4. REVIEW AND APPROVAL OF APRIL 27, 2021, ROAD INSPECTION REPORT**

**MOTION (Olson/Depre):** To approve the April 27, 2021, Road Inspection Report as recorded.  
Motion carried.

**5. GUESTS:**

**a. William (Bill) Jaskari, Owner – Liquor Licenses**

After some discussion, the supervisors passed the following motions:

**MOTION (Olson/Depre):** To recommend approval to the Carlton County Board of Commissioners for the renewal of the liquor license for the period July 1, 2021-June 30, 2022, for William Jaskari, owner of the "The Lounge on Big Lake Shores." Motion carried.

**MOTION (Olson/Depre):** To recommend approval to the Carlton County Board of Commissioners for the renewal of the liquor license for the period July 1, 2021-June 30, 2022, for William Jaskari, owner of the "Big Lake Golf Resort." Motion carried.

The Board's approval last month for the Big Lake Golf Resort was for the 2020-2021 year.

b. **John Fredrickson, Chair – Big Lake Area Sanitary District**

Recently, the Town Board was notified of a letter, dated March 18, 2021, sent by the Fond Du Lac (FDL) Band to the BLASD Board, terminating the joint powers agreement (JPA) for the public sewer project. As a result, Town Chair Harms invited Fredrickson to this meeting to discuss the next steps.

(1) **Discussion**

Fredrickson discussed the reversal of the FDL's participation in the project and its termination of the JPA. He summarized the BLASD's next steps - collecting final taxes due, paying off financial obligations, and shutting down or discussing other options.

Other options, previously discussed, involve steps toward a new project:

- Remove tribal properties and redistrict with nontribal properties; then, seek a matching federal grant for the state's \$4.5 million, and move ahead with a new project. (This would require FDL review and acceptance.)
- Reevaluate the current risk to Big Lake and determine the long-term solution - likely a public sewer.

Fredrickson noted that ideally, a separate project for nontribal properties should be able to tie in to a FDL project in case things change. Meanwhile, he encouraged Perch Lake to ask the Western Lake Superior Sanitary District (WLSSD) to preserve the community's "allocation" for a future project.

(2) **Some Major Questions**

- (a) How much funding has been returned? Fredrickson responded that approximately \$6 million has been returned to the federal agency.
- (b) How would a separate project impact the user fee? Would it be affordable? Fredrickson responded that this research has already been done. Someone can find that number and the community can decide if it is affordable.
- (c) Is the FDL paid up? What is the status of the BLASD financing? How will the BLASD close out its business? Fredrickson responded as follows:
- The FDL's recent check of \$13,000 was likely a final payment.
  - The BLASD's final loan payment will come from 2021 tax settlements.
  - The BLASD Board will reconvene one last time to pay its bills.
- (d) Could the BLASD Board serve as an advisory board for the County? Fredrickson responded no, not with the current structure.
- (e) Would a new project require crossing tribal lands? Fredrickson responded that yes, certain connections would require crossing over tribal lands.

(3) **Conclusion**

After some discussion, the supervisors agreed to:

- Send a letter to Heather Cunningham, Administrator of Zoning and Environmental Services, asking her to begin enforcing compliance of noncompliant sewer systems on Big Lake.

- Send letters to Cloquet regarding the JPA and WLSSD regarding the preservation of the community's allocation.

Fredrickson noted that he will confer with Cunningham to see if the current \$4.5 million in funds could be reallocated to upgrade individual systems on the lake.

6. **TREASURER/CLERK REPORTS.**

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

- (1) Treasurer Cheri DeMenge provided the Treasurer's Report for April

**MOTION (Olson/Depre):** To approve the Treasurer's Report as presented with a cash balance of \$380,310.66 for the month ending April 30, 2021. Motion carried.

- (2) The Township has over \$250,000 in deposits with Frandsen Bank. The FDIC insurance covers up to \$250,000 in deposits; but the bank has pledged to increase the insurance to cover the amount over \$250,000.

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

Clerk Lora Eames discussed future revenues (a likely \$105,000 in June from property tax settlements), and the monthly operating budget.

Projected Revenues	\$171,967
Revenues Received YTD	-21,483
Revenues Not Yet Received	\$150,484
Projected Expenses	\$185,396
Disbursements Made YTD	-39,483
Under Budget YTD	\$145,913

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

**MOTION (Depre/Olson):** To approve payment of the following claims. Motion carried.

\$ 1,815.34	Late claims list for April 2021: Claim #4503-#4504
17,739.05	Regular claims list for May 1-May 31, 2021: Claim #4505-#4515
1,062.55	Employee payroll for April 5, 2021
7,644.76	Regular officer payroll for March 8, 2021
\$28,261.70	Total

8. **REPORTS.**

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

Town Chair Harms reported that the CAFD Chair has called for a closed session meeting regarding the evaluation of the Fire Chief. He will report back later on the results.

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

This was previously covered in 5b.

c. **Road and Bridge.**

Road and Bridge Supervisor Steve Olson reported on the items below.

(1) Calcium Chloride

Olson reported that Patrick DeChant (Enbridge) sent an email, requesting that calcium chloride not be placed on certain roads. The calcium chloride can contaminate pipes.

In addition, Olson reported that he revised the Township's order for calcium. The County's calculation was too much. (The Township applies at a different rate than the County. The lower rate is achieved by applying 8-foot-wide surface in the center of the road and by having the driver speed up on specific sections.) See 10-b for additional details.

(2) 2021 Road Inspection Report

Olson discussed the blacktop work which must be done.

**MOTION (Depre/Olson):** To obtain quotes for crackpatching and asphalt patching of Township roads listed in the 2021 Road and Bridge Inspection Report: Brower Drive, Lakeview Drive, Lyndhurst Bay Drive, and Magney Drive. Motion carried.

The supervisors noted that the current County Road 7 Project will fix the potholes on Maple Drive.

They discussed the hill washing away by Lake and how to resolve it. Olson will ask Rick Norrgard, Assistant County Engineer, to review the site for possible engineering.

(3) Watkins Spur Project

Olson reported that last Thursday, he met with County Transportation staff Rick Norrgard and Will Bomier regarding the Watkins Spur project. They asked if the Township wished to proceed with plans not formally reviewed by the County Engineer. (This review could take another month.) Harms asked Olson if the documents were otherwise ready for contractors to bid upon, and Olson replied affirmatively.

(4) Miscellaneous:

- Jeanette Worgren called regarding neighbors from the Magney Drive camp.
- Bob Lund called about grading.
- Conflict between Enbridge and another contractor on Ditchbank Road.
- Enbridge is doing an integrity dig, using Jarvinen Road for access.
- The County's estimate for grinding and repaving Pine Grove was expensive.
- Trapper Collier removed beavers from Strand Road; but things got plugged up again, so Collier had to return there.

9. **OLD BUSINESS**

a. **Old Housekeeping Items**

- (1) Should the Town Board resume rentals? If so, under what conditions?  
Board members decided to allow Town Hall rentals, beginning June 1, 2021.

- (2) Should the Caretaker continue COVID-19 cleaning?  
Board members expressed gratitude for Building Caretaker Pat Anderson's good work over the past year and authorized her to return to a normal cleaning schedule.

b. **Quotes for Roadside Mowing.**

Clerk Lora Eames reported that she had received a roadside mowing quote from Jerry Telcher. She had also contacted Eric Carlson by email; but received no quote from him.

**MOTION (Olson/Depre):** To approve a contract with Jerry Telcher, Jerry's Roadside Mowing LLC, for mowing roadsides in 2021, based on his quote of \$1,295.00.

c. **Consideration of Draft Right-of-Way Ordinance (prev. tabled).**

(1) **MOTION (Olson/Depre):** To adopt Ordinance No. 2021-01. Motion carried.

(2) **MOTION (Depre/Olson):** To approve Summary Resolution No. 2021-006 for publishing Ordinance 2021-01 in the Town's official newspaper. Motion carried.

d. **Status of Legal Road Descriptions and RFP (prev. tabled).**

Supervisors agreed by to keep this project tabled for the time being.

e. **Status of Records Retention Project.**

(1) Clerk Eames reported that she and the Treasurer have completed their review and disposal of most records through year 2015.

(2) Eames and DeMenge distributed a spreadsheet, entitled "Record of Paving, Overlays, Crackpatching, and Striping," dated May 10, 2021. They prepared this document as a starting point for consistently recording maintenance activities on paved roads.

f. **Report on CCATO Meeting held April 27, 2021.**

Treasurer Cheri DeMenge attended in person. Some highlights are listed below:

- Sheriff Lake reported that the County hopes to combine grants and a one-half percent sales tax to help fund the project. The new jail will likely be located behind the Transportation Building.
- County Auditor Kathy Kortuem is retiring, and Kevin DeVriendt is her replacement.
- The Enbridge appeals of state tax valuations are working their way through the courts. The County will have more details in June or July on what is owed. Senator Jason Rarick is working to have the state, not local governments, pay this obligation.
- County Transportation was not in attendance, but officials mentioned that the Big Lake Road Project, from Mahtowa to Carmen's Bar and Restaurant, is in process.
- The American Rescue Plan will have funds available for water and sewer projects.
- Townships reactivating their Board of Appeal and Equalization meetings in 2022 must have a resolution of intent on file and be current in supervisor training.

10. **NEW BUSINESS**

a. **New Housekeeping Items.**

None.

b. **Discussion/Action on 2021 Calcium Chloride Order.**

After some discussion, the supervisors approved the annual calcium chloride order.

**MOTION (Depre/Olson):** To approve an order of calcium chloride for submission to Carlton County Transportation, not to exceed 6,000 gallons, and not to exceed \$10,000 in cost. Motion carried.

c. **Report on American Rescue Plan Act Funding for Local Governments.**

Eames reported that the webinar scheduled for May 5, 2021, was rescheduled for May 18. She planned to attend and will provide more information in June.

d. **Discussion/Action on Tax Forfeited Land – PID 92-010-2000.**

The Township received a May 3, 2021, notice, from Greg Bernu, County Land Commissioner, seeking approval for the sale of tax-forfeited land PID 92-010-2000. Olson noted that the one acre of land was located a quarter mile east of Bergman Road, and that Jim Anderson owned the remaining 40 acres. After some discussion, the supervisors expressed no objections to the sale.

**MOTION (Depre/Olson):** To approve the sale of tax-forfeited land within the Perch Lake Township borders, Parcel ID No. 92-010-2000, in accordance with Minnesota Statute 282.01, subdivision 1, and to inform the County Land Commissioner of this decision. Motion carried.

e. **Carlton County Board of Adjustment Hearing on Tuesday, May 18, 2021. Paul Randolph, PID 92-010-4000, 4010, 4020, and 4030.**

The supervisors expressed interest in having a survey done to ensure that the structure is not in the township road right-of-way. Depre agreed to attend the hearing.

11. **VISITOR COMMENTS.**

Two items:

- Supervisor Depre alerted everyone of potential “Open Meeting Law” violations by local governments. Specifically, the Minnesota Commissioner of Administration recently advised that a school board violated the state’s open meeting law when at least a quorum of school board members met in person; but members of the public were not allowed physical access. Public bodies meeting to do business must do so by telephone or other electronic means, with only one present at the meeting site.
- Supervisors asked the Clerk to run a notice in the newspaper - the Township is now allowing public attendance at meetings and rentals of the Town Hall.

12. **ADJOURNMENT.**

Chair Harms adjourned the meeting at approximately 8:30 p.m.

Respectfully submitted,

Approved by Town Board

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Lora Eames, Clerk

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Gary Harms, Chair