

October 8, 2018

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

Motions are tagged in bold. Meetings are recorded to facilitate preparation of minutes.

1. CALL TO ORDER, ROLL CALL AND PLEDGE.

Chair Gary Harms opened the meeting at 7:00 p.m. with the roll call and pledge.

Members present: Chair Gary Harms, Supervisor Steve Olson, Supervisor Tom DeLovely, Treasurer Cheri DeMenge, and Clerk Lora Eames.

Invited guests: Enbridge, Inc. - Christine Davis, Patrick Dechant, Patrick Hughley, and Trevor Lindblom

2. REVIEW AND APPROVAL OF AGENDA.

MOTION (DeLovely/Olson): To approve the October 8, 2018, regular meeting agenda as presented. Motion carried.

3. UPDATE FROM ENBRIDGE.

a. Introduction and purpose.

Enbridge representatives:

- Christine Davis, Community Relations
- Patrick Hughley, Travel and Community Engagement
- Trevor Lindblom, Project Manager
- Patrick Dechant, Road Permits

Davis distributed information packets, introduced other Enbridge staffers, and recalled that she had been at Perch Lake Town Hall one year ago to discuss the deactivation of Line 3. Since then, things have changed, and now they were here to discuss the Replacement of Line 3.

b. Davis' summary.

In June of 2018, The MPUC (Minnesota Public Utilities Commission granted a Certificate of Need and approved the preferred route with minor modifications for the Line 3 Replacement Project. In August of 2018, Enbridge negotiated an agreement with the FDL Band to construct Replacement Line 3 through the reservation. Enbridge's Replacement Line 3 will now go through the FDL Reservation (and Perch Lake Township).

Enbridge will now:

- Finalize conditions and permits from all levels of government and mobilize for construction by the first quarter of 2019.
- Complete construction of Replacement Line 3 and have it in service by the summer - fall of 2019.
- Deactivate Line 3 in 2020.

In addition, Enbridge will work with private landowners and the FDL to remove sections of old pipe where desired.

- c. Some questions addressed to Enbridge representatives:
- (1) What is the status with the ongoing litigation in Minnesota State Tax Court?
Davis discussed the history. In 2012, the Minnesota Department of Revenue changed the way it interpreted the valuations for infrastructure projects. Enbridge proposed a 16% increase in its property taxes, but the State returned with a 24% increase. After negotiations with the State failed, Enbridge took the State to tax court. The litigation will not be resolved for a while, and the actual impact to counties and townships is not known at this point. However, Davis noted that Enbridge is committed to working with counties where lawsuits are resolved.
 - (2) Will there be winter construction? What about exposed pipe?
Enbridge representatives responded that their crews will try to get everything done during the summer months. In addition, one representative noted that Enbridge's agreement with FDL includes the remediation of exposed pipe; consequently, their crews will replace about ten miles of exposed pipe along Line 4.

Harms thanked Enbridge representatives for their efforts to keep Perch Lake Township informed of developments.

4. **MINUTES.**

a. **August 13, 2018, Minutes**

The September agenda listed the wrong minutes for approval. Therefore, the Board must act upon the August 13, 2018, minutes.

MOTION (Olson/DeLovely): To approve the August 13, 2018, minutes as recorded.
Motion carried.

b. **September 10, 2018, Minutes**

MOTION (DeLovely/Olson): To approve the September 10, 2018, minutes as recorded.
Motion carried.

5. **TREASURER/CLERK REPORTS.**

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

Treasurer Cheri DeMenge provided the September 2018 report.

MOTION (Olson/DeLovely): To approve the Treasurer's Report as presented with a cash balance of \$377,560.51 for the month ending September 30, 2018. Motion carried.

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

Clerk Eames provided the following reports:

DIFF IN RECEIPTS & DISBURSEMENTS			
	SEPT 2018	YTD 2018	YTD 2017
Receipts	6	141,043	138,508
Disbursements	-8,173	-99,439	-78,746
Difference	\$-8,167	\$41,604	\$59,762

2018 OPERATING BUDGET TO DATE

Projected Revenues	\$170,556
Revenues Received YTD	-141,043
Not Yet Received	<u>\$29,513</u>
Projected Expenses	\$170,812
Disbursements Made YTD	-99,439
Not Yet Spent	<u>\$71,373</u>

In addition, Eames reported that the Town:

- Received \$693 from the Cloquet Area Fire District to reimburse for Station 2 costs.
- Should receive approximately \$24,000 in December from property tax settlements.
- Should be able to reserve a chunk of money from unspent funds in 2018 for Road and Bridge Capital Improvements.

6. REVIEW AND APPROVAL OF CLAIMS FOR PAYMENT.

MOTION (Olson/DeLovely): To approve the payment of the following claims with the exception of Claim #3994 from Carlton County Transportation for \$103.14. (This claim is not valid because it is for maintenance on Mission Road, which is not a Township road.) Motion carried.

\$596.47	Late Claims # 3989, #3990, and #3991
4,272.32	Claims #3992 - #4007, except for Claim #3994
<u>1,797.92</u>	Regular payroll for
\$6,666.71	Total

7. REPORTS.

a. Cloquet Area Fire District (CAFD).

Chair Harms recalled that he had asked Chief Kevin Schroeder to attend the Town Board's meeting in October to address concerns about Station 2's loss of a tanker. Instead, Harms and Schroeder agreed that he (Schroeder) could submit a written report. Harms described the report as "thorough," and invited comments. (This report is on file with the Clerk.) Supervisor Olson expressed interest in the status of District plans to purchase another tanker for Brevator, the newest member. He noted that ideally, there should be a pumper tanker of 2,000 gallons or more at each station (which Station 2 currently has).

Harms reported that he is on the new Strategic Planning Committee. The committee's purpose is to review the District's goals and progress over the past ten years and into the future.

b. Big Lake Area Sanitary District (BLASD)

Town Board members reviewed three BLASD documents - the August 7, 2018, meeting minutes; the October 11, 2018, meeting agenda; and Chair Fredrickson's email recommending the reappointment of Chris Rousseau to the BLASD Board for a full term. Board members decided to act on the reappointment in December, in accordance with BLASD Bylaws.

Clerk Eames reported that she attended the September meeting and found that the BLASD Board is still "in limbo," awaiting FDL action on the JPA (Joint Powers Agreement) before the sewer project can move ahead. Also, she noted that the upcoming meeting for October 11, which was rescheduled from October 12, would begin at 5:30 p.m.

Those present discussed rumors they had heard - that the FDL is seeking a grant from Enbridge to help pay for its share of cost in the BLASD sewer line project. No one could verify the rumors or confirm the FDL's intentions. However, Board members decided to explore funding from Enbridge on the same basis as FDL; and asked the Clerk to email Fredrickson for his thoughts on this idea.

c. **Road and Bridge**

Supervisor DeLovely reported wet conditions, and that beavers have moved in again and the trappers are busy on County and Township roads. The FDL and DNR continue to work together in keeping the Ditchbank waterways open.

8. **OLD BUSINESS**

a. **Old Housekeeping Items.**

Clerk Eames reminded everyone that the next meeting will be held on Tuesday, November 13, 2018, since Monday, November 12, 2018, is a holiday - Veteran's Day Observed.

b. **Official Update to record regarding R & J Fuchs' Driveway, 3191 Maple Drive**

Previous minutes have included a discussion regarding Ron and Jenn Fuchs' driveway. Board members stated today that they found the Fuchs' driveway to be in compliance - that no circular drive exists and that no permit from Perch Lake Township is necessary for 3191 Maple Drive.

Board members also directed that the record (October minutes) should reflect the above facts, and that the matter is now officially closed.

c. **Status of Demolition of Big Lake Store Building.**

Building Address: 796 Cary Road
Parcel ID: 92-010-4272

Previous Owner: James W. Johnson
Jason Johnson (son)
Attn: Jody Larson
PO Box 1747, Bemidji, MN 56619

New Owner Anthony J. Linder
642 Barney's Road, Cloquet, MN 55720

Chair Harms reported (i) that the Johnson family recently sold the property to Anthony Linder; and (ii) that he (Harms) had received a phone call from Linder, verifying new ownership of the property, but making no promises to demolish the building by year end.

Letters sent during this period:

- October 6, 2018, letter to the Johnson family, acknowledging that they are no longer involved in the demolition process.
- October 8, 2018, letter to Anthony Linder from Kennedy & Graven, acknowledging him as the new owner and informing him that he has 60 days to demolish the building or the Township would take action.

c. **Status of Nuisance Ordinance**

Board members previously discussed having a meeting with FDL officials about contracting with the FDL for animal control enforcement if the Township passed its own ordinance. Harms announced that a meeting will be held Thursday, October 18, 9:00 a.m. at the Fond Du Lac Reservation Legal Affairs Office.

d. **SealTech Schedule for Crackpatching Township Roads**

DeLovely reported that SealTech still plans to crackpatch designated Township roads. The delay has been due to consecutive days of rain.

9. **NEW BUSINESS**

a. **New Housekeeping Items**

None.

b. **Review of Second Newsletter for 2018**

Board members reviewed the draft of the Fall/Winter 2018 Newsletter. Clerk Eames and Treasurer DeMenge offered to assemble and distribute this issue of the newsletter, but informed the Board that they will not have the time to do future issues. Board members determined that the local response to the newsletter has been positive, and they asked the Clerk to obtain a quote from Community Printing for preparing and mailing future issues.

10. **SET DATE FOR BUDGET MEETING**

Board members will meet at 6:30 p.m., Thursday, November 15, 2018, in Perch Lake Town Hall to develop the draft 2019 Operating Budget.

11. **VISITOR COMMENTS.**

Chair Harms and residents discussed the affordability of the BLASD's proposed monthly utility charge of \$105 per month.

Keith Depre, 833 Brower Drive, Cloquet, MN 55720, announced that he is available as a write-in candidate for Town Board Supervisor C.

11. **ADJOURNMENT.**

Chair Harms adjourned the meeting at approximately 8:00 p.m.

Respectfully submitted,

Approved by Town Board

Lora Eames, Clerk

Gary Harms, Chair