

**December 13, 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., calling for a roll call. Supervisor Keith Depre hosted the meeting on Zoom.

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

Guest: Attorney Frank Yetka

Attendees: Robert and Melissa Walton

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

**MOTION (Depre/Olson):** To approve the December 13, 2021, agenda as presented. Motion carried.

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

a. **MOTION (Olson/Depre):** To approve the November 8, 2021, regular meeting minutes as recorded. Motion carried.

b. **MOTION (Depre/Olson):** To approve the November 15, 2021, special budget meeting minutes as recorded. Motion carried.

**4. ACKNOWLEDGE RECEIPT OF NOTES.**

Chair Gary Harms acknowledged receipt of notes from the December 6, 2021, American Rescue Plan Act (ARPA) Committee meeting.

**5. GUEST APPEARANCE: ATTORNEY FRANK YETKA ON FUTURE OF THE BIG LAKE AREA SANITARY DISTRICT (BLASD)**

Chair Gary Harms welcomed Attorney Yetka; then, asked Supervisor Depre to lead the discussion.

Depre described the current situation - the FDL Reservation has pulled out of the joint powers agreement for the public sewer project, Chair Fredrickson and Chris Rousseau have submitted their resignations, and the BLASD Board has become inactive. Fredrickson's email of November 9, 2021, indicates his belief that the FDL withdrawal means that the BLASD has "no standing at this time."

Yetka reported that special state legislation established the BLASD. In 2006, Perch Lake Township petitioned the state and Minnesota Pollution Control Agency to set up the sanitary district; the MPCA order was signed on November 22, 2006. Once a sanitary district is established, the district must follow an extensive process for dissolution.

Depre asked: What are the Town Board's options? Can Perch Lake Town Board appoint two new persons to the BLASD Board. Can the BLASD Board then consider three a quorum, hold meetings, and function as a district?

The Big Lake Area Sanitary District will make its final micro loan payment before the end of the year and receive an administrative bill for bookkeeping. It will not have a levy in 2022.

The Town Board supervisors were of the consensus that they would like to keep the BLASD going. There may be a future public purpose, i.e., future funding for a sewer project. Yetka emphasized that the district still exists until it dissolves. He offered to contact the MPCA to see if the agency would be comfortable with the Township's maintaining the district in a holding pattern.

**MOTION (Depre/Olson):** To authorize Attorney Frank Yetka to contact the Minnesota Pollution Control Agency regarding the status of the Big Lake Area Sanitary District and the Perch Lake Town Board's desire to not dissolve the district, but to maintain the district for a time. Motion carried.

6. **TREASURER/CLERK REPORTS.**

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

Treasurer Cheri DeMenge provided the Treasurer's Report for November 2021.

**MOTION (Olson/Depre):** To approve the Treasurer's Report as presented with a cash balance of \$489,349.55 for the month ending November 30, 2021. Motion carried.

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

(1) Revenues

Clerk Eames reported that the Township recently received the following revenues:

- A property tax settlement of \$32,279.67.
- Another ARPA distribution of \$1,866.02.

(2) Monthly Operating Budget

|                           |           |   |
|---------------------------|-----------|---|
| Projected Revenues        | \$171,967 |   |
| Revenues Received YTD     | -146,778  | * |
| Revenues Not Yet Received | \$25,189  |   |
|                           |           |   |
| Projected Expenses        | \$185,396 |   |
| Disbursements Made YTD    | -144,423  |   |
| Under Budget YTD          | \$40,973  |   |

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

7. **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 December 2021. Motion carried.

|             |  |
|-------------|--|
| \$450.43    | Late claims list for November 2021: Claim Nos. #4598-#4599   |
| \$10,507.90 | Regular claims list for December 1-31, 2021: Claim Nos. #-#. |
| \$713.63    | Employee payroll for December 5, 2021                        |
| \$3,515.03  | Regular payroll for December 13, 2021                        |
| \$15,186.99 | Total  |

- b. **MOTION (Olson/Depre):** To approve payment of American Rescue Plan Act (ARPA) claims for December 2021. Motion carried.

|          |                                 |
|----------|---------------------------------|
| \$757.78 | Current claims assigned to ARPA |
| \$757.78 | Total                           |

8. **REPORTS.**

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

Town Chair Gary Harms reported that CAFD Chief Matt Ashmore has resigned, effective December 6, 2021. Battalion Chief Jessie Buhs will be the interim fire chief until interviews have been completed and a decision made.

Harms reported that the CAFD Board held the Annual Truth and Taxation hearing last Wednesday, December 9, 2021. Thomson Township residents showed up to protest the tax increase. Board members listened to their concerns. After the meeting, Harms called another meeting of the Finance Committee. The committee found an error in the budget and the fix will result in a small decrease in taxes.

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

Supervisor Depre reported that the BLASD Board has received the last of its tax revenue and will make a final payment on its loan and administrative billing.

The Perch Lake Town Board has received resignations from Chair John Fredrickson and Chris Rousseau; the board will accept those resignations later in the agenda.

c. **Road and Bridge.**

(1) Supervisor Olson reported that:

- (a) He worked on two RFQs (Requests for Quotes) for the Watkins Spur Rebuild and Watkins Spur Paving. This Watkins Spur Project is being divided into two separate jobs to stay under the \$175,000 limit for quotes.
- (b) He contacted Kiminski Paving about fixing the pavement on Magney Drive at the Enbridge crossing, but he has not heard back. The pavement was damaged by contractor equipment. Olson will follow up.
- (c) Road Foreman Tom DeLovely did some brushing on Jarvinen Road.

(2) Land Purchase

Olson reported that he contacted Sandy Warpula about the possibility of purchasing land adjacent to the Town Hall; however, he has not heard back. Harms reported that he had discussed with the CAFD Board the option of selling the Perch Lake Town Hall to the district and relocating to another site.

(3) Charges for Culvert for Coralee Nelson.

Clerk Eames brought up the issue of the culvert purchased for Coralee Nelson. The County had quoted Olson one price, but later charged a higher amount. Does the Board

want to go back to Coralee for the difference? Board members briefly discussed the issue, but they took no action.

9. **OLD BUSINESS**

a. **Old Housekeeping Items**

None.

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

- (1) Updates, including report on ARPA Committee meeting, December 6, 2021.

Eames reported that the ARPA Committee members are committed and interested in developing solid recommendations for the Town Board. At their first meeting, they had a brainstorming-session, and each individual took an assignment. Eames hoped to have more information to report next month.

- (2) Consider purchase of new desktop computers for Clerk & Treasurer with ARPA funds.

Eames asked the Board to authorize the purchase of two new desktop computers for the Clerk and Treasurer. The Township can use ARPA funds for this purchase.

Eames provided two quotes:

|                   |            |                               |
|-------------------|------------|-------------------------------|
| Downtown Computer | \$4,077.96 | without monitors or keyboards |
| CW Technology     | \$4,458.00 | with monitors and keyboards   |

She stated her preference for Downtown Computer because of their excellent customer service and her long-standing relationship with the staff there.

After some discussion, the supervisors authorized the purchase.

**MOTION (Depre/Olson):** To contract with Downtown Computer for the purchase and installation of two desktop computers based on Downtown's quote of \$4,077.96. Motion carried.

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

- (1) Accept resignations of John Fredrickson and Chris Rousseau

**MOTION (Depre/Olson):** To accept the resignations of John Fredrickson and Chris Rousseau from the Big Lake Area Sanitary District (BLASD) Board. Motion carried.

- (2) Appoint new BLASD Board members.

**MOTION (Depre/Olson):** To appoint the following persons to fill vacancies on the Big Lake Area Sanitary District (BLASD) Board:

- Gary Harms
- William Jaskari

Motion carried. 2-Approved; 1-Abstained (Harms).

Clerk Eames will prepare resolutions and certificates for these appointments.

d. **Review/Action on Watkins Spur Project.**

The supervisors decided to make two separate projects – one for the rebuild and one for the paving - to stay under the \$175,000 limit for quotes. In addition, this will allow flexibility in case certain contractors do not pave or in case the paving quotes are too high. Supervisors agreed that they would use township funds if they move ahead with paving the road.

After some discussion, the supervisors authorized the two requests for quotes (RFQ).

**MOTION (Depre/Olson):** To approve an RFQ for the Watkins Spur Rebuild, to be posted on the website and sent to the following contractors: DeCaigny Excavating, Kiminski Paving, Northland Constructors, Omar’s Sand & Gravel, Sinnott Blacktop, and Ulland Brothers. Motion carried.

**MOTION (Depre/Olson):** To approve an RFQ for the Watkins Spur Paving, to be posted on the website and sent to the following contractors: DeCaigny Excavating, Kiminski Paving, Northland Constructors, Omar’s Sand & Gravel, Sinnott Blacktop, and Ulland Brothers. Motion carried.

e. **Review/Approval of 2022 Operating Budget.**

**MOTION (Olson/Depre):** To approve the 2022 Township Operating Budget, dated December 13, 2021. Motion carried.

f. **County Board of Adjustment:**

- (1) Notice of Public Hearing on 7:00 p.m., December 21, 2021, re Michael Dunaisky, 3171 Maple Drive

Chair Harms asked Supervisor Depre to attend the hearing, and Depre agreed to do so.

- (2) Notice of Decision: Variance #321023 for Robert Walton

Board members had copies of the Notice of Decision from Carlton County Zoning and Environmental Services, dated November 23, 2021. According to the notice, the Walton variance request “was denied by the Board of Adjustment on November 16, 2021, and the property owner will be required to remove the after-the-fact-non-vegetative ground cover (patio and retaining walls) in the shore impact zone and restore with native vegetative ground cover.”

Board members acknowledged the presence of Robert and Melissa Walton, and Chair Harms invited them to speak.

Robert Walton’s comments (summarized): It was Walton’s understanding, based on what he had heard, that the Town Board makes a motion to support or not support a variance request; then, sends a representative to the County Board of Adjustment hearing. Therefore, the Town Board should pass a resolution stating its position. Also, the Town Board should inform the property owner beforehand of its position (or at least attempt to see what the project is about). He noted that no one from the township came to look at his property.

Supervisor Keith Depre’s comments (summarized): Walton’s understanding of the process is incorrect. One who asks the Board of Adjustment to consider a variance request is asking for an exception to the county’s planning and zoning rules. The Town

Board is not in favor of anything that is within fifty feet of the shoreline. The town supervisors form a consensus on the variance request and send a representative; but they do not offer a resolution because they are not the governing authority in this matter. The County is responsible for planning and zoning within Perch Lake Township. The Town Board only provides input. Also, the County does not provide information packets until just days before the hearing.

10 **NEW BUSINESS**

a. **New Housekeeping**

- (1) Chair Harms announced that Pat Anderson will be on medical leave for some time. Town Board members will keep her in their thoughts and prayers.
- (2) Purchase new desk for Clerk.

**MOTION (Depre/Olson):** To authorize the purchase of a new desk for the Clerk from Northern Business Products for an amount not to exceed \$1,500. Motion carried.

b. **Approval of Resolution No. 2021-013, “Designating Annual Polling Place.”**

**MOTION (Olson/Depre):** To approve Resolution No. 2021-013, designating the Perch Lake Town Hall as the annual polling place for the community. Motion carried.

c. **Review/Action on Changes to Building Rental Agreement.**

Harms and Eames described problems encountered with a recent rental, and they proposed some changes to the rental agreement.

**MOTION (Harms/Depre):** To approve the following changes in the building rental agreement. Motion carried. 2-yes. 1-abstaining (S. Olson).

- (i) Ending of meeting or function
  - From 12 midnight to 10 p.m.
- (ii) Change Building Caretaker to Rental Manager.
- (iii) Change to “Do not move conference table or use it for cutting or food display.”
- (iv) Usage Fee: Rental fee
  - Resident: \$50, Non-Resident: \$100, Public/Nonprofit: \$75.

Harms announced that for now, Clerk Eames will manage the rentals and David Eames will do the cleaning at the maintenance rate previously approved by the board.

11 **VISITOR COMMENTS**

None.

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