

**MINUTES from the Regular Meeting
Harris Township Board
Wednesday, December 9, 2009 at 7:30pm**

The Regular Meeting of the Harris Town Board was held on Wednesday, December 9, 2009. The meeting was called to order at 7:30pm, at the Harris Town Hall, with the following officers present: Supervisors Gary Rosato, Larry Key and Dennis Kortekaas, Treasurer John Jokela, and Clerk Michele Smith. Absent: none.

Also in attendance: Julie Kennedy - Township Engineer, Andy Shaw – Township Attorney, and Bernadette Hurtgen – Savoy Restaurant/Bar

1. **Pledge to the flag**, followed by the reading of the township mission statement
2. **Approve minutes** of the Regular Meeting on November 10, and the P&D Meeting on November 18, 2009

A motion to approve the minutes as presented was made by Supervisor Kortekaas and seconded by Supervisor Rosato. Upon roll call, motion passed.

3. **Consider recommendation for the approval of off-sale liquor at Savoy Pizza** – Bernadette Hurtgen

Bernadette approached the town board to request approval of an off-sale liquor license for Savoy Pizza on the Lake (located in the old Harbor Restaurant). They currently have an on-sale liquor license, but would like to also offer off-sale, for snowmobilers and boaters who have stopped for a meal. The patrons have requested off-sale liquor, as no other place on the lake offers this.

There was no other discussion or concerns by the Board.

Supervisor Rosato made a motion to recommend approval of the off-sale liquor license at Savoy Pizza, as presented by Bernadette Hurtgen. The motion was seconded by Supervisor Kortekaas and upon roll call, passed unanimously.

Clerk Smith will contact Marsha at the County Auditors Office, and send them proper notification of the board's action on this item of business; there was no 'permit' for the Board to sign.

4. **Road Vacation Hearing (7:45pm)**: Ernie Jacobson / part of unnamed street as shown on Sunset Park plat

At 7:45pm, Supervisor Rosato made a motion to recess the Regular Meeting and open the Pubic Road Vacation Hearing. Upon a second by Supervisor Kortekaas, roll call was taken and motion carried.

The hearing was opened and immediately turned over to Township Attorney Andy Shaw. He verified that proper notice had been given to affected landowners of the vacation hearing, and that it had been both posted and published at least 10 days prior to today's hearing.

Ernie Jacobson, who had presented the vacation petition to the board on October 14th, 2009, was in attendance as were several residents of Sunset Park plat.

Mr. Jacobson stated he is requesting the vacation to create a better building site on his lot, as the set back from a road ROW shrinks the ability to build on it. This would help his lot, as well as others adjacent to him, along the road ROW.

The board then asked to hear from those in-favor of, and those not-in-favor of, the proposed vacation:

- A letter from the DNR was received, which stated they had no comment; the road ROW does not provide access to public waters, so the wetlands would not be affected
- A letter was received from Tom Ryan, Lot 1 of Sunset Park; he is in favor of the vacation.

- Linda and Harry Bonney, listed on the petition, were in favor of the vacation. They own lots 18-19-20 of Sunset Park plat
- No one voiced any opposition to the vacation, nor was any letter received stating the same.

Hearing no other comments, the public portion of the hearing was then closed by the board chair.

The Board stated no questions or concerns about the vacation request.

Supervisor Kortekaas made a motion, seconded by Supervisor Rosato, to approve the vacation of part of the unnamed street as shown on Sunset Park plat, and as requested via petition by Ernie Jacobson. Upon roll call, motion carried unanimously.

Attorney Shaw provided the Board with the necessary documents to vacate the road and extinguish this part of the road public ROW. The legal description was previously given to Shaw by SEH. The Board reviewed the resolution (later assigned # 2009-009) *Resolution Vacating a Town Road*.

Supervisor Kortekaas made a motion, seconded by Supervisor Rosato, to approve the resolution as presented by Attorney Shaw to vacate the town road as named. Upon roll call, motion carried.

Chairman Key signed the resolution, and Clerk Smith attested. **The Order Vacating Portion of Town Road was also approved by the board**, and signed by the Chair and Clerk. A certified copy will be sent to Shaw who will record it with Itasca County.

A motion was made by Supervisor Kortekaas to close public hearing 8:00pm, and reopen the Regular Meeting. The motion was seconded by Supervisor Rosato, and duly passed.

5. Recreation

Clerk Smith gave an update on rink attendant hiring via Express Employment Professionals. Two attendants have been hired for certain, and two more are being interviewed this week.

Because the temperatures are staying below freezing and flooding is going well, Supervisor Key stated that rinks will be ready to open this weekend. Clerk Smith will contact Express Pros and ask that they contact Supervisor Key so that he can start scheduling the attendants hired.

Supervisor Key stated that the protective window screens for the warming house have been installed.

6. Business from the floor

None

7. Roads

- Update on Itasca County's Snow Removal Policy, regarding salt and sand placement

Supervisor Key received a letter from Itasca County on their new policy for salt & sand application. A copy of the policy was provided to the Board in their agenda packets. Concern was expressed over the run off from these products in the spring, and the County is trying to reduce their use of them in the winter. As a result, they will only apply salt and sand to hazard intersections – not roadways - unless otherwise requested.

Key will request that the Wendigo Park Road near Wendigo Pines Assisted Living be sanded/salted as it's a bad intersection.

- Updates from Julie Kennedy – SEH Engineer

- **Bear Creek:**

Julie met with Lake Country Power (LCP) regarding their road crossing by Marshall's, 33557 Bear Creek Road. A concern was expressed due to improvements made there recently, with gravel placed on the road.

There was 5" of frost that morning, so it was not ideal for compaction. Class V was not a part of this project, but LCP agreed to check the area in the spring and bring in class V for any settlement as needed.

LCP stated that they appreciated the cleared ROWs along Bear Creek that the township did recently. The residents of the Bear Creek stated they appreciated the LCP line replacement.

○ **Wagon Wheel:**

Julie drove by Wagon Wheel, at near freezing conditions. The road bed continues to settle and sink into swampy area / wet land, due to heavy volume and fast traffic. Her recommendation was to continue to fill with class V, as it's not ready for pavement. Julie will look into using fabric between the class V layers to help hold the material in place. Wagon Wheel will be looked at again in the spring of 2010.

○ **Mishawka Road**

The drainage project has been completed on Mishawaka Road. The scope was changed midway through the project, due to utilities. There was 700 feet of improvement, from Gilbert's property - west - to the Hawkinson gravel pit entrance. Erosion control blankets were used on entire project and seeded. An 18" cross culvert was installed to aid in proper flow of run off, from north to south. This should take care of the flooding that occurs on the road each spring.

Although improving the drainage to the east of Gilbert's was not in the plan, Julie was able to meet with the land owners of T&M Marine. They agreed to remove the boats off the ROW and so that drainage could be improved in the area where it's historically ponded, and subsequently went over the road. No erosion control blankets were needed in this area. The 75 foot culvert used by T&M, under one of their driveways, was a concern so a silt blanket was used as an inlet cover.

This project made two very necessary and significant improvements to the north side of the Mishawaka Road. The residents which Julie encountered were all very appreciative.

The invoice for \$25,094 to Hammerlund will be in tonight's bill list. The project is complete.

○ **Bayview:**

Julie has not heard anything further on the plat request on Bayview. Supervisor Key received copies of the road standards required by Harris Township before they would consider taking over a private road. Key will share them with the appropriate parties.

○ **Tolerick Road:**

The maintenance guys put some gravel in the sink hole on Tolerick Road, at the request of the County. The County expressed concern about damaging their plow on the hole. The quote for performing roadbed borings was \$2,265 from Braun. The price was high as the depth of organics used to fill in the area is at least 10', so deep drillings would be needed. The board agreed to wait until spring to do anything more on this road.

○ **Wendigo Park Road & Harris Town Road intersection**

The intersection at Wendigo Park Road and Harris Town Road is bad – especially in the winter. Coming from the south, over the hill, the intersection comes up really fast. In the winter, people seem to run or slide through it a lot as due to frequent icy conditions. Julie will look into road surface alternatives for this area. Perhaps a liquid deicer would help.

8. Treasurer's Reports

- Consider for approval, the Treasurer's report for November 1 – 30, 2009 financials

A motion was made by Supervisor Rosato to approve the Treasurer's report of November 2009 financials. The motion was seconded by Supervisor Kortekaas and upon roll call duly passed.

- Update of audit report for 2007 and 2008

A work session was held at 7:00pm tonight, to hear results of the 2007 and 2008 outside audits. Jennifer Goulet, from Glorigan's, was in attendance at the work session but did not yet have reports completed for either

year. Upon completion, Jennifer will give them to Treasurer Jokela, who will review share results with the board. Jennifer stated that she would meet with Jokela next week.

9. Correspondence

Board Action items:

- None

Noteworthy items:

- MATIT liability insurance declaration pages – copy to Supervisor Key / original to Treasurer Jokela
Supervisor Key noted that the Pro-track trailer listed on the pages was sold, and should be removed.
- MN Department of Health Report regarding a recent on-site inspection of public water (see copy in packets)
Results of inspection were good, though a source of potential hazard was noted for the closeness of the holding tank to the well. Julie will take a look at this, to determine its significance.

10. Consent Agenda

None

11. Old Business

- Update on history book
The Harris Township Centennial History Book is now available for sale at the Village Book Store and the Itasca County Historical Society. They are being sold for \$14.95 at both locations. Ads alerting the public to their availability will be in the Herald Review each Sunday, until Christmas.
- Update on rental fee for DFL caucus (Gary)
Supervisor Rosato had asked Attorney Shaw if the township was allowed to charge a town hall rental fee for a DFL caucus, for Harris Township residents. (We had been told that we could *not* charge a fee, since it was for our residents.) Attorney Shaw stated that according to MN State statute, we could charge a fee but that it needed to be at the lowest policy rate. This supports our motion from a previous meeting to charge a fee, and so it will stand. The rental fee will be the lowest rate – which is the \$50.00 resident fee.
- Abstract for original cemetery
Supervisor Key stated that he cannot find the abstract for the old part of the cemetery, and would like permission to get one. He can find the deed, but not an abstract. Cost will be about \$100.
Supervisor Kortekaas made a motion to allow Supervisor Key to obtain an abstract for original part of the cemetery. Supervisor Rosato seconded the motion and upon roll call, motion carried unanimously.

12. New Business

- Consider 2010 meeting dates for approval and publication
The listing of 2010 meeting dates was provided to the Board in their agenda packets.
Supervisor Rosato made a motion to approve them for posting and publication in the newspaper. The motion was seconded by Supervisor Kortekaas for discussion. He noted that the alternative election date was incorrectly stated with a 2009 date rather than the intended March 16, 2010 date. The clerk will correct this before posting/publishing.
The motion amended to include this correction, and upon roll call, duly passed.
- Township election training on December 15th / new HAVA machine now required
Clerk Smith informed the Board that she will attend election training on 12-15-09, for the upcoming March 2010 township election. The township will see additional election costs in 2010 as a result of this being the first year that HAVA equipment is required at a township election.

13. Approve payment of bills

Supervisor Rosato made a motion, seconded by Supervisor Kortekaas, to approve the bills per the attached "December 2009 Bill Listing to Board", for \$96,304.24. Upon roll call, motion carried unanimously.

14. Adjourn

A motion was made by Supervisor Kortekaas, seconded by Supervisor Rosato, to adjourn the Regular meeting at 9:15pm. Meeting adjourned.

Respectfully submitted,

Michele Smith, Clerk