

**MINUTES from the REGULAR Meeting  
Harris Township Board  
Wednesday, February 9, 2011 at 7:30pm**

The Regular Meeting of the Harris Town Board was held on Wednesday, February 9, 2011. The meeting was called to order at 7:30pm, at the Harris Town Hall, with the following officers present: Supervisors Larry Key, Dennis Kortekaas, and Gary Rosato, Clerk Michele Smith and Treasurer John Jokela. Absent: None.

Also in attendance: Julie Kennedy – SEH Road Engineer for the township, and Andy Shaw – township attorney. Residents John Mornes, Richard Gunderson, and Jim Wicklund were also at tonight's meeting.

1. **Pledge to the flag**, followed by the reading of the township mission statement
  
2. **Approve the minutes** of the Regular Meeting on January 12, the P&D meeting on January 26, the Mornes Road Neighborhood meeting on January 19, the Budget Work Session on January 24, and the Mishawaka Neighborhood Meeting on February 2, 2011.

***A motion was made by Supervisor Rosato to approve the minutes as submitted. The motion was seconded by Supervisor Key and upon roll call, motion carried.***

**3. Mornes Road ROW acquisition consideration:**

- A brief hearing, to include input from any interested members of the public:

The only Mornes Road resident in attendance was John Mornes. He commented that everything sounded good to him, and his family; he had no questions or concerns. Julie Kennedy – SEH added that she's talked to all 6 residents of the road, and verified that there were no concerns regarding the road ROW acquisition by the City of Grand Rapids. It was also noted that there were no concerns voiced at the Mornes Road neighborhood meeting, held January 19<sup>th</sup>, 2011.

- Consider approval of proposed resolution #2011-002 / Orderly Annexation Agreement between the City of Grand Rapids and the Town of Harris

Andy Shaw, township attorney, was in attendance and explained the resolution to the board, and how the process worked regarding the change of ROW jurisdiction. The board did not have any questions or concerns.

***A motion was made by Supervisor Rosato, seconded by Supervisor Key, to approve Joint Resolution #2011-002, "Orderly Annexation Agreement between the City of Grand Rapids and the Town of Harris". Upon roll call, the motion carried by a unanimous vote. (a copy will be attached to these minutes)***

- Consider approval of proposed resolution #2011-003 / Terms of Agreement for Mornes Road corporate boundary adjustment

Shaw explained that this document laid out the terms of the agreement between city and the township, regarding the annexation agreement. It included the following:

1. The above described property ("subject property") to be annexed underlies the right of way of Mornes Road, the same which needs to be located within the corporate boundaries of the City of Grand Rapids to allow the City to obtain Municipal State Aid monies to maintain and improve the roadway and is being annexed solely for that purpose.
2. The property is not being annexed for any purpose relative to economic development.
3. Grand Rapids has no current plans to annex any other areas of Harris Township.
4. The subject property shall remain subject to Itasca County ordinances and laws (including road access issues) as such ordinances exist at the time of annexation, or as such ordinances may from time to time thereafter be amended by Itasca County.
5. Grand Rapids shall not specially assess the subject property or the adjacent real properties lying south of and adjacent to the subject property, the same which are located in the Town of Harris.

***A motion was made by Supervisor Rosato to approve Joint Resolution #2011-003, Terms of Agreement between the City of Grand Rapids and Harris Township. Supervisor Key seconded the motion and upon roll call, the motion carried by a unanimous vote. (a copy will be attached to these minutes)***

Next steps: Once the board executes the resolutions, Clerk Smith will send them to Attorney Shaw, who will follow up with the city's attorney (Sterle), for their signatures and takeover any remaining administrative work.

#### 4. Business from the floor

- Richard Gunderson:

Someone made Mr. Gunderson a proposal about a wind generator. He asked the town board what the tower height restriction was in Harris Twp. The Board/Julie explained that this regulation would fall under County zoning, and a conditional use permit would likely be needed. It would also depend on which zone he is in, regarding the airport. If he's in zone C, there would be an additional layer of height restrictions that would apply.

#### 5. Treasurer's Reports:

2010 yearend financials had not been yet finalized, so there were no reports yet for December and January.

#### 6. Roads

Julie Kennedy / SEH – project update:

- Held the Mishawaka neighborhood meeting last week regarding proposed road improvements. There was a good turnout for the meeting. Julie received calls both from those in attendance, and those who were not able to make it.

She will have a brief report on the feasibility of new road through the Cottage Grove ROW at P&D Meeting on February 23<sup>rd</sup>. Julie will also send information out to residents of Mishawaka Road so they can have a chance to attend the Feb P&D meeting and give input on options the board will consider for improving the Mishawaka Road.

- Verde Lane

Supervisor Key commented that there are big cracks in some of the township roads, including Verde Lane, which was just resurfaced about 4-5 years ago. Julie commented that she will take a look at Verde, but that the cracking was likely caused by the drastic changes in temperature this year, from above freezing to a deep freeze, well below zero.

#### 7. Recreation

Supervisor Key reported that both Wendigo and Crystal rinks are open tonight. Attendance has been up & down due to the frigid wind chills this past week. This weekend, it's supposed to be well *above* freezing, and may even rain, so it's hard to know how that will affect the ice and rink attendance.

#### 8. Correspondence

Board Action items:

- Express Employment Professionals – new rate agreement, effective 1-1-11 (Rink Attendants)

The new 2011 billed rate by Express Employment rate is 22 cents/hour more than what we're paying now; it covers various administrative increases incurred as a temporary service. This rate does not affect how much the rink attendants are paid, but rather how much the township pays to Express Employment.

***Supervisor Key made a motion to approve the 2011 billed rate increase for Express Employment to \$10.98/hour (hourly rate paid to rink attendants to remain at \$7.50/hour). The motion was seconded by Supervisor Rosato for discussion. Rosato asked if there would be a retro billing, since the new rate was noted as being effective 1/1/11. Treasurer Jokela thought yes, there would likely be a small retro billing. Upon roll call, motion carried by unanimous vote.***

- Notice of the Board of Appeal and Equalization for Harris Township: Thursday, May 5, 2011 – 9:00am  
(See also *Local Board of Appeal & Equalization training certification status reports in the agenda packets, for Harris Twp Board Supervisors*)

It was noted that **Supervisors Key and Kortekaas had current certification to serve on the Board of Appeal and Equalization; they will expire on 8/1/2012.** Supervisor Rosato's certification had expired, but he commented that he will get recertified this spring/fall – whenever the training is offered through MAT or the county.

The Town Hall has been reserved for May 5th, per Clerk Smith.

Noteworthy items:

- Itasca County Annual Weed Report – due by Feb 28, 2011 (given to Twp Weed Inspector Kortekaas)
- Township donation request from First Call, and offer to do a presentation. (This will be placed on the Annual Town Meeting agenda, for consideration.)

Non-action items

- Letter from the “Land Stewardship Project”

Supervisor Rosato commented that he would like to ask Reno Wells, our District Representative from the MN Association of Townships, about this request at the next Twp Association Meeting.

**9. Consent Agenda**

- Consider approval of cemetery deed for sites sold to Virginia Jordan: Section 3, Block 20, Lot 1, Sites 5 & 6  
***A motion was made by Supervisor Key, seconded by Supervisor Rosato, to approve the consent agenda item. Upon roll call, motion carried.***

**10. Old Business**

- Consider approval of revised RBA, to include an additional election judge as required by MN Stat. 204B.22  
Clerk Smith explained that because our township is required to have a HAVA ballot marking machine during the town election, the state has raised the minimum number of judges needed from 3 to 4, effective March 2011. Therefore, the RBA adds an election judge to the previous 3 that were approved.

***A motion was made by Supervisor Rosato to approve the revised RBA for four election judges to serve at the March 8<sup>th</sup>, 2011 township election. Supervisor Key seconded the motion and upon roll call, motion carried.***

- Verde Lane / Hammerlund Gravel Pit:

Supervisor Key updated the board that the residents in the area of Verde Lane have organized a neighborhood association called “Airport Road and Seventh Avenue Neighborhood Association”. There are currently 61 names on the membership list. Draft minutes from their 2-6-11 meeting were shared with Supervisor Key, to share with the board. A copy of those minutes will be attached to these minutes.

Key attended the county site inspection for Verde Lane / Hammerlund pit on Monday regarding an appeal by P. Lotti and a conditional use permit for the gravel pit. Key reported the site inspection went well. Today the county board meeting was held with the County Planning Commission. Key also attended this meeting, but it got lengthy (started at 9am, then recessed at 11:00am for early lunch) and so he didn't get to stay for the finish. He added that a lot of issues were brought up on the Hammerlund gravel pit. He'll hear results in the next few days.

- Tractor/mower quote:

The township's John Deere 1435 tractor, used for snow blowing and mowing, is scheduled for replacement in 2011, in accordance with the capital equipment replacement schedule. Supervisor Key shared a quote he'd gotten from Pokegama Lawn and Sport for a slightly upgraded model of the tractor. It was for a 1445 JD Toro groundskeeper mower. The upgraded model would handle an air conditioner, needed to keep the windows cleared off when blowing snow. It also has a heater, and a bigger snow blower. Key added that we would keep the same broom attachment.

**The quote received for the new 1445 tractor was \$21,800**, which included a \$6,500 trade in allowance for the 1435 of \$6500, the government discount of \$11,341, a 72" side discharge mower, a hard cab with heater/defroster/air conditioner, and a 60" snow blower. (It was noted that this cost comes in below our proposed budget for this item, which was \$27,000.)

**Supervisor Rosato made a motion in favor of purchasing the recommended John Deere 1445, series II tractor/mower as presented in the quote from Pokegama Lawn & Sport for \$21,800. The motion was seconded by Supervisor Kortekaas and upon roll, passed by a unanimous vote.** (Quote will be attached to these minutes)

- Lawn mower quote

The other piece of equipment scheduled for replacement in 2011, in accordance with the township's capital equipment plan, is the 2009 John Deere X300R riding lawnmower. Supervisor Key also had a quote for a replacement mower from Pokegama Lawn and Sport. **The quote received was for \$1,670** for the same make/model as the existing mower, with a 42" rear discharge deck and hopper and a \$2,000 trade in allowance. (It was noted that this amount was very close to the budgeted amount of \$2,000.)

**Supervisor Rosato made a motion to approve to purchase the John Deere riding lawnmower X300R as quoted from Pokegama Lawn and Sport, with a 42' deck discount for \$1670.00 after trade in. Supervisor Kortekaas seconded the motion and upon roll call, motion carried by a unanimous vote.**

## 11. New Business

- Consider approval of resolution #2011-001, "Establishing an Absentee Ballot Board for the March 2011 Township Election"

Clerk Smith shared what she'd learned about the new requirements put in place by state legislature. Overall, in an attempt that each absentee ballot be handled in the same manner, guidelines were set up so that all absentee ballots are processed by an absentee ballot board. And, beginning in March 2011, townships are required to appoint an absentee ballot board to process absentee ballots for their March elections. The boards are to be made up of at least 2 trained election judges, and the boards are to be established by resolution adopted by the town board.

**Supervisor Key made a motion to approve Resolution #2011-001, Establishing an Absentee Ballot Board for the March 2011 Township Election. Upon roll call, motion carried by a unanimous vote.**

- Update on Cable Commission Meeting (John) and consider approval of resolution #2011-004, consenting to Mediacom corporate restructuring.

John attended the Greater Grand Rapids Area Cable Commission (GGRACC) meeting on Monday, and he chaired the meeting. During the meeting, it was discussed that the CEO of Mediacom is a 40% owner, and the rest of the company is publicly held. The CEO has proposed, and shareholders agreed, to buy out the company and take it private. The CEO didn't foresee any changes that would happen to the company, and explained that he is taking it private to save on regulations and investment fees. One question that came up was trading that often occurs when something like this happens; the CEO said they are dedicated to Minnesota.

The resolution that was asked to be considered by the Harris Town Board is a model resolution for the 4 communities in the GGRACC (LaPrairie, Cohasset, Grand Rapids and Harris) to recognize that new ownership is coming but that franchise agreement remains the same. Terms of GGRACC cable franchise agreement stay intact, and Mediacom is in agreement with this as well. All others communities will be passing the same resolution.

**A motion was made by Supervisor Rosato to adopt Resolution #2011-001, Consenting to Mediacom Corporate Restructuring. Supervisor Key seconded the motion, and upon roll call passed by a unanimous vote.**

The other item that came up at the GGRACC meeting that Jokela attended was PEG fees for public education/government broadcasting. The current monthly fee for Mediacom subscribers is 75 cents a month. However, ICTV is proposing a 25 cent increase to \$1.00/month/subscriber as they are going digital and HD. They are also looking at doing live broadcasting of certain events. Residents will be invited to a public hearing later this fall, for consideration of an increase in 2012. Each community will have one of these meetings/public hearings.

- Consider rescheduling the March P&D meeting date from March 23 to March 30, 2011

Clerk Smith requested that the date for the March P&D/Reorganization meeting be pushed back by one week, from March 23<sup>rd</sup> to March 30<sup>th</sup>, 2011 due to her surgery scheduled for March 15<sup>th</sup>. Since the 23<sup>rd</sup> was only one week post surgery, she did not feel she could attend the meeting to take the minutes. And because it was such a detailed meeting with the reorganization, she was not comfortable asking her deputy to step for that meeting (which would be her first). The board did not see any problems in granting this request.

***Supervisor Rosato made a motion to approve the date change of the March P&D/Reorganization meeting from March 23 to March 30, 2011. Upon roll call, motion carried.***

Clerk Smith will secure the hall for that date, and post/publish a date change notice.

- Davis Road maintenance agreement

Supervisor Rosato asked if the board was going to meet with Jeff Davies of the City of Grand Rapids regarding the Davis Road, and discuss a shared maintenance agreement for snowplowing/grading. The board agreed that this should be done.

## **12. Approve payment of bills for January 2011**

Treasurer Jokela reviewed the bill list, totaling \$51,010.37. He noted that most were for normal township business, but that some of the larger ones were for the 2010/2011 snowplowing contract/\$21,417, the ICC interns paid for September 2010 through January 2011/\$3,061, the City of Grand Rapids cable franchise fee, less 3% for twp fees/\$5276, and Express Employment for January Rink attendant hours/\$2,390.

***Supervisor Rosato made a motion, seconded by Supervisor Key, to pay the bills as presented in the attached "February 2011 Bill Listing to Board" for \$51,010.37. Upon roll call, motion carried by a unanimous vote.***

## **13. Adjourn**

**A motion to adjourn tonight's meeting at 8:37pm was made by Supervisor Key and seconded by Supervisor Rosato. Meeting was adjourned.**

Respectfully submitted,

Michele Smith, Clerk of Harris Twp