

REGULAR MEETING
July 13, 2016 at 7:30pm
Minutes

Present were: Supervisor Ken Haubrich, Supervisor Jim Kelley, Supervisor Gary Rosato, Supervisor Dennis Kortekaas, Supervisor Burl Ives, Treasurer Becky Adams, Clerk Cari Alleman.

1. Pledge to the flag, followed by the reading of the township mission statement

2. Consider approval of Minutes from the Regular Meeting on June 8, the P&D Meeting on June 22. Motion to approve Minutes Motion made to approve the minutes made by Supervisor Kortekaas seconded by Supervisor Haubrich motion approved by all

3. Business from the floor

- Mr. Bart Johnson and the haying of the Cemetery land- agreement between Harris Township and the Bart Johnson Farm is on Harris town road east end, Johnson has been haying the cemetery for 6 years, not to plow it up and keep in grass before we have to reseed again. They hay for own cattle, Mr. Johnson does not resell, Motion to accept the contract with Johnsons by Supervisor Kelley and Seconded by Haubrich.
- Meyers cemetery site- email and diagram along with new sites- Apologies from the board by Supervisor Rosato, Angie to speak first on the magnitude of the situation, Read through the emails sent from Michelle Smith. (see attached) Angie read another email that she received from this chain. Her dad was buried and she found out later that her mom would not be able to be buried next to her dad. Her Dad was buried and his grave didn't have any grass yet on his grave. Person with military honors didn't have a grave marker still, big difference between the rest of the family and dads, Ken and Judy sat down and talked about what we had had a situation, and head stone has been bought and why not put at the grave. Angie also read through the meeting notes from Nov. 20 2013. On July 5, 2016 they met at Harris township cemetery, Angie, Judy, Derrick, Ken, and Burl. Angie and Judy asked many questions. Angie made the point that 18 months prior to the death of her father that the board had knowledge of this, and board and didn't bring it to the family's attention. Questioned why this wasn't brought to attention, who dropped the ball why not bring in the family attention. The Board to work hard to get this done and done right. The Meyers family will let Ken know in the next ten days to know what they would like to do. They Meyer's family would like the policies and procedures to be gone through so this doesn't happen again to another family, the clerk is working on this. Mrs. Meyers would like to have a discussion about a sexton to handle the cemetery.

4. Consent Agenda

5. Roads

- Memo from Jayson of S.E.H.- Gravel road and they will be starting on Friday 7/15/16 improving culdusax, quotes back for culverts, 3 confirmed quotes DR trucking \$16,105.00, all three culvert Westlyan drive and (**See attachment**) about a day to do and have an inconvenience for the residents recommendation to award the contract to Deer River Trucking, Pine landing would be a little longer and would take a little more of the bid, a unit price for both the culverts, could back fill with the same gravel that they take out, but would have to pay attention to the gravel that goes on top and make sure it is the right for the grade and the
- Could fluxuate a little in terms of money; Motion to award the bid to Deer River trucking for Supervisor Kelley seconded by Supervisor Haubrich. Passed by all
- Progress on Isleview road, has ripped up road to make take out the culvert, Birch street has had nothing done and will be worked on next week 7/18/16-7/22/16 both areas have been notified that the road will be worked on but open to the residents, work is progressing nicely and are in their

- Bids from Bergen and Northwest- Bid each road and Bergen is very detailed and the Northwest is not quite as detailed. Bergen has different processes and Northwest has new owner and Bergen did Westlyn drive and there has not been a failure yet and they will be working on the roads that were under warranty, Motion to accept Bergen's proposal made by Supervisor Ives, Seconded by Supervisor Kortakaas (\$42,397.50) Motion passed by all (Supervisor Haubrich will notify Bergen of the notice to proceed)
- Catherine Ave. Culvert: Supervisor Haubrich will look at 7/14/16 phone call about the culvert was plugged and the maintenance took care of it.
- Metsenhuber road has been getting fixed because of wash outs.

6. Recreation

- Hale Lake Access- residents have come to the meeting to inquire about putting in a landing at the Hale Lake where the tax forfeited land is to see if it would be do-able to put one in. Needs to have residents in take on the landing. Residents would like to make sure that all the residents have a say in the process. Step one would be a letter from township to the county and then the county to see if the land is ok to put in a landing. Add put in the paper and letters sent to everyone on the lake. Some Residents would like to have access to the lake. Question asked: How realistic is putting in an access? Some residents allow homeowners to use their private land to put their boats on the lake. Board has to follow up on all inquiries. A concern that was brought to the attention of the board was Invasive species would be more intrusive to a little lake vs a big lake and they worry about it changing the lake.

7. Correspondence

- Board Action items:
 - None
- Noteworthy items:
 - Noxious weed training- Dennis to take care of and will schedule with the county to have this training done that they are offering.
- Non-action items

8. Old Business

- Vacating the strip of land over on Stoney point area and inquiring about if the process is still viable. Has talked to the homeowner and she has a lawyer working on this. Each homeowner would receive 10 extra feet of land. Shaw will look at it and the board will need to have a site review and we will have to have a public meeting to have it go forward if it

9. New Business

- Variance for the property owner decided to table the issue and looking at a different drain field to see if it would work. Could possible come and up again to put in the septic.
- Electrical Work to be done at the service center- Pokegama Electric, most of the issues are in the attached garage, some safety issues that needs to be taken care of and no lights in the garage and needs to be inspected. Receptacles in the inside of the building, and need to take care of the polarity. Motion to accept he bid from Pokegama by Supervisor Ives and Supervisor Kelley motioned passed by all
- Safety Fire Cabinet quote- Need to update the storage units would like to do a little more research to make sure we have to right cabinet. Supervisor Ives proposed that Supervisor Haubrich get the right cabinet that is needed Supervisor Rosato to seconded motion passed by all

10. Treasurer's Report – dated July 13, 2016 (of June 2016 financials)- (June 1- June 30) First half way point as this is the lowest point, motion to accept treasured report by Supervisor Kortakaas seconded by Supervisor Kelley motioned assed by all

11. Approve payment of bills for June, 2016- Supervisor Ives to Table the paying of the bills for 5 minutes, Supervisor Kelley seconded the motion so they can look at the bills. Board would like S.E.H. to have a more itemized bill. They bill as a percentage of a total of a bill. More detail the better.

- Motion to pay the bills by Supervisor Kortekaas, seconded by Supervisor Ives motioned passed by all
- Supervisors would like to look over the bills a couple of days before we actually have pay them. Could look at the service center to see the bills as they came in and make sure they are all correct. Suggested that Clerk Alleman opens the mail and scans the bills and it's all electronic and comes in the agenda packets. If only couple come through on the Monday we can continue to look at them and Clerk Alleman can scan and send them as they come in or give to them before the Regular scheduled meeting.

12. Public Input *(please limit comments to 5 minutes)*

13. Adjourn Supervisor Ives motioned to adjourn the meeting Supervisor Kelley seconded the motion passed by all.

UPCOMING Events / Meetings

Wed July 27 Planning & Development Meeting.....	7:30pm Harris Town Hall
Mon Aug 8 Itasca County Twp Association Meeting.....	7:00pm Blandin Foundation
Wed Aug 10 Regular Meeting.....	7:30pm Harris Town Hall

July 12, 2016

Address to Harris Township Board. Present Becky, Cari, Gary, Jim, Kenny & Burl.

My name is Angela Olson I was asked by my mother Judy Myers and my siblings Amy Beier and Ron Myers to represent our Father Rex Myers who passed away and is buried at Harris Cemetery on May of 2015. My goal to help facilitate discovery to this issue and bring resolution to this problem. This is an extremely emotional topic so please bear with me as the loss of my father is still raw and this recent discovery and the information that I received just last night brings out both sadness and anger.

I think the best way to initiate this discussion is to read the information that we just received last night in addition to the information that I discovered as I read through the Harris Township meeting minutes from the last three years with a focus on the minutes from November 20th 2013. In your packets you have this information in addition to the maps and attachments referenced.

From: MICHELE SMITH [<mailto:michelesmithclerk@msn.com>]

Sent: Thursday, April 07, 2016 9:17 AM

To: Gary Rosato <garyrosato@icloud.com>; Cari Ann Alleman <harristownshipclerk@gmail.com>

Subject: FW: Owned cemetery site no longer usable for a casket/vault

Hi Gary and Cari -

In follow up to the 'off track' conversation at the last work session 😊, regarding the issue with Judy Myers cemetery site, I wanted to forward the following email string (start reading at the bottom) which includes information from the MAT attorney.

I've also attached a diagram of the cemetery block, showing the problem. On the second page, I've indicated where Judy's site is located (Section 2, Block 28, Lot 2, site 3). Note that there are caskets encroaching her site from *both* the head and the foot ends - so a walkway is not going to help. That means 2 body's would need to be moved in order for a vault/casket to fit in Judy's site.

I hope you are some how able to resolve this...but it's going to be icky!

Michele Smith, Clerk

Harris Township

30037 Harris Town Road

Grand Rapids, MN 55744

email: michelesmithclerk@msn.com

phone: 218-327-9930

website: www.harristownshipmn.org

From: glrosato@blandinfoundation.org
To: michelesmithclerk@msn.com
Subject: RE: Owned cemetery site no longer usable for a casket/vault
Date: Mon, 26 Aug 2013 16:04:46 +0000

Oh Lord...

Hope we can achieve some other solution in lieu of moving sites.

Michele thank you, you are always on top of things to make sure we do justice as it should be.....

Gary L. Rosato
Facilities Manager
Blandin Foundation
Grand Rapids, MN 55744
218-326-0523

Proud staff member of the Blandin Foundation since 1993

From: MICHELE SMITH [<mailto:michelesmithclerk@msn.com>]
Sent: Monday, August 26, 2013 10:59 AM
To: Gary Rosato
Subject: FW: Owned cemetery site no longer usable for a casket/vault

Not good news...see email below from an attorney at MAT. It's really good to know the law "requires" remains to be moved - if no other solution can be reached; however, I really hope we don't have to go there as it can be very upsetting to the families of the deceased.

-Michele

From: khartnett@mntownships.org
To: michelesmithclerk@msn.com
Date: Mon, 26 Aug 2013 10:35:39 -0500
Subject: RE: Owned cemetery site no longer usable for a casket/vault

Michele:

It sounds like you are heading down the right track. The township needs to figure out some solution with the owners. I will mention that under Minn. Stat. 306.155 a cemetery must move remains that are in the wrong plot at the cemeteries expense. Assuming the vaults that are sticking into the wrong plot can be moved, the law requires that they be moved.

I certainly would speak with the owners of the lots in question and see if there is another solution. Whatever solution is reached, the township should get it in writing and the owners should waive any future claims against the township from this situation.

If you have any further questions feel free to contact me.

Kyle R. Hartnett

Attorney

Minnesota Association of Townships

805 Central Avenue East

PO Box 267

St. Michael, MN 55376

khartnett@mntownships.org

763-497-2330

From: MICHELE SMITH [<mailto:michelesmithclerk@msn.com>]

Sent: Sunday, August 25, 2013 5:20 PM

To: Eric Hedtke; Kent Sulem; Kyle Hartnett

Cc: larrykey1944@icloud.com

Subject: Owned cemetery site no longer usable for a casket/vault

Hi Eric, Kent, and Kyle,

Harris Township has maintained a cemetery for over 100 years, and has sold many sites to residents and non residents. All sites are just large enough for a casket/vault, but can also have up to 4 cremation urns in one site. However, we recently discovered that 1 site, owned by a resident, is now too small for

the placement of a vault/casket - because of encroachment of vaults from neighboring sites. This has never happened before and so I'm reaching out to you for advise on how this can be handled properly - and legally. Your help is greatly appreciated:

Here's the situation:

Recently, our maintenance crew discovered that a purchased, but unoccupied, cemetery site can no longer be used for a casket/vault burial because there are caskets ends sticking into it from both ends - from the head end, and from the foot end. Thus, the space in between the two encroaching casket ends is no longer large not enough for placement of a vault. There is room, however, for 1-4 cremation urns.

The owner of this site also owns a second site, next to it (side by side); it too is currently unoccupied - but has no issues with encroaching caskets.

The site owners do *not* yet know of our predicament, nor do I know how they might take this news. If the couple is planning to be cremated, there is probably not a problem - except than the 'perfect' site we sold them is now 'flawed' -so they may feel entitled to some sort of restitution. However if they want a casket/vault in both sites, we have a big problem.

Here's some *options* the I've considered, in preparation of notifying the owners:

- Offer the owner two (or more) other sites of their choice - in the cemetery. However, this option is not feasible as the sites they own are in a family block with parents/grand parents - and there are no other sites in this block available for sale.
- Offer to buy back the cemetery site (for their purchase price), but allow them to still own & use the flawed site for cremains only.
- Explain what happened and apologize - explaining that the burials took place many years ago (15 years?) and that it would appear that the grave boundaries were erroneously marked during the winter, when the graves were opened, which caused 2 caskets to be partially sticking out into *their* 'property'...making it now impossible to fit a casket in the site. Then ask for suggestions on how the township can make this right with them - as this has never happened at Harris Cemetery before.
- Note: The cemetery supervisor and I didn't feel that offering to disinter and move the invading vaults/caskets of the 2 deceased bodies was even an option - for many reasons. However, could a court order the township to do so??
- Also, because this issue is of a personal nature, it has not been brought it up at board meeting for discussion (the owner is usually in the audience). Our plan was for the cemetery supervisor (and me, if needed) to meet with the resident to explain the situation and offer various

solutions. Then, only if a solution cannot be determined,- bring it up at a meeting for discussion. Is this what you would recommend?

Thanks for your advise on what a township "must" or "should" do in a situation like this, as well as anything we *don't* want to do. Your immediate assistance and advise would be greatly appreciated. Any questions, just let me know.

Kindest regards,

Michele Smith, Clerk

Harris Township

30037 Harris Town Road

Grand Rapids, MN 55744

email: michelesmithclerk@msn.com

phone: 218-327-9930

website: www.harristownshipmn.org

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Please note that there are two Statements of Confidentiality that were attached to the footer of this email indicating that Gary responded at least twice however this information was omitted from what was supplied to the family. I can only assume that this occurred when the information was given from Michelle to Cari and in messaging her last night she stated she was going to call Michelle and ask for this information.

This is what we know to be true and I am asking if there is any misinformation or missing information to please bring this forward now. We are requesting or rather demanding full disclosure, now is the time to bring any related communications or issues forward.

On June 20th Together with my daughter Jordan we stopped in once again to Harris Township Cemetery to wish my dad Rex a Happy Father's Day. Dad died on May 15th, 2015 and was buried in a family plot that he and my mother purchased in August of 1986 (nearly 30 years ago). I was again disheartened to see that in spite of the fact that it had been well over a year since my father's passing there was still no grass on my father's grave site, only ant hills and weeds. There was still no military veterans markers, still no headstone that was paid for and ordered over a year prior and as I walked around respecting the other family members sites in addition to our neighbors and friends I noticed how different my parents sites were and I called my mom to ask some questions. She said she had been notified that the stone was done and honestly thought that it was in place. She assured me that she was going to bring it to the next board meeting. So she did just that the following day, and In talking with Kenny he empathetically told my mother Judy "we have a problem that I was just notified of as I took over this duty and I would like to have a meeting with you and your family".

Around June 28th 2016 I sat down with Councilman Haulbrech and Ives and my mother to review the issues. I brought forward many questions that as new councilman they did not have the answers for. There was mention that they would see that this was resolved and that they needed to assure the family had the answers needed and to right this wrong.

On July 5th at 2pm My mother Judy, Kenny, Burl and Derrick (Maintenance Worker for about 13 years at Harris Township) and I met out at the Harris Town Cemetery. Derrick was very honest and when I asked him when he realized that they had a problem in which my mother could not be buried next to my dad he stated when we buried Doris Lynch we brought the concern forward to Larry Key and the Council. We were all shocked as Auntie Doris passed about on August 8th 2013 and certainly this issue could not have been over looked. I asked if he was sure that he had the conversations with his supervisors (Larry Keys) and he assured me that he and his partner brought this information forward. He stated that the council was aware of the issue and were in contact he believed with a lawyer.

Reading through every township board meeting there was one meeting in 2013 in which my mother was not in attendance and that was the meeting on November 20th, 2013, a day that my father had surgery. Please note the minutes to state under item 8 of New Business.

11-20-2013

8. New Business

☒ Cemetery site issue

Supervisor Key discussed an issue with a site at Harris Cemetery that was recently discovered by the maintenance crew: A purchased, but unoccupied, cemetery site can no longer be used for a casket/vault burial because there are caskets ends sticking into the empty site from both the head end, and from the foot end. Thus, the space in between the two encroaching casket ends is no longer large not enough for placement of a vault. There is room, however, for 1-4 cremation urns. The owner of this site also owns a second site next to the problem site (side by side); it too is currently unoccupied - but has *no* issues with

encroaching caskets. If the owner is planning on cremations, there is no problem. However, if they are planning for 2 casket burials, this will be a problem.

The board asked Clerk Smith to seek the advice of the attorneys at the MN Association of Townships, and report directly back to Key. If needed, the board will get involved. Key will also check with the City of Grand Rapids, to see if this has ever happened to them.

Now we already know from the emails with the lawyers on August of 2013 that by November 20th when this was brought forward and this duty that was tasked to Clerk Smith she had already carried out, to email the legal team and she had already received a response from the attorney and she had already forwarded this response to the Board Chair Gary Rosoto. This brings utter chills to my spine knowing that over 18 months prior to my dad's death the board members at that time knew about this issue and choose to not address it. You brought this to the only meeting in which my mother was not in attendance and left the minutes so vague that no one would question this issue. You all allowed my dad to be buried in that plot knowing that my mother could not be buried next to him. You never brought this discussion up at another meeting that was on the record however based on Michelle's "Emoji winky face" one would assure this was discussed in private.

Gary,

You are an elected official and you represent all people of Harris Township both the living and the dead. Integrity is the quality of being honest and having strong moral principles. Ultimately it is doing what is right when no one is watching. You are not the only one that completely lacks moral integrity as you sat with Larry Keys and Michelle Smith on this board and made decisions for this community. Together you decided to once again sweep an issue under the rug. Did you not have an opportunity to talk to my father about this issue? Yes, you had numerous opportunities as a matter of fact; On August 26th when you received the response from the legal team did you think to call an emergency meeting like you did last night to bring resolution to our family? This was 626 days prior to my father's death, did you think to call him up and say "hey Rex we have an issue and as a former excavator I think you can help us come up with a solution". On November 20th 2013 PD committee meeting you choose to discuss this issue, intentionally in my mother's absence, you then had 18 months or 541 days of my dad's life remaining to bring this concern forward to him. Who dropped the ball? Did you think to bring the love ones in that would be impacted the most on resolving a solution? You had an additional 6 days from the time my father died until he was buried while you were "Leading" these maintenance workers and this Township Board to resolve this issue. You have now had 411 days since my father's passing to bring these concerns forward to us, his family and you choose not to do so. On a monthly basis when my mother (Judy Myers) attended the Harris Town Board meetings did you bring this to her attention? Did your conscious keep you awake when you look at my mother at these meetings each month? Gary, please explain to me how you had the integrity and to walk into my father's wake and funeral to pay your "last respects" knowing that my mother Judy could not be buried next to her husband of 50 years.

Did you research or ask your team to research this issue at Rowe funeral home the spring of 2016? What did you do when they brought this information back to you? When you asked if Judy was going to be cremated and no plans had been established was this concerning to you? Did you contact my mother, my brother, my sister or myself. How did we find out? I again, visited my dad's grave on father's day and I asked my mom, why isn't there any grass? Why hasn't dad's military marker been placed? Where is the headstone? The only assumption that I can have is that this was done out of retaliation and for that

I am so angry. I understand how strong that words are but until you are able to given me another reasonable excuse I can't come to another conclusion cause certainly three individual's can not be this ignorant.

To the community: I want you to rest knowing that if you have issues you do have a voice on this board, I can assure you that there are members of this board that lead with integrity but unfortunately I also caution you that there are individuals who would rather sweep things under the rug and not have critical conversations, whether this was done in retaliation against my mother or if it was done out of ignorance we will see this through to assure that these conversations are not avoided and no one is knowingly harmed emotionally in the process. Will other issues arise at the cemetery? Absolutely it is an old cemetery and there have been changes in technology and processes over the years to allow for grave digging to be easier and issues with Mother Nature can be resolved. But I cannot begin to explain to you the benefit of knowing this information prior to May 15, 2015.

Gary, you Larry and Michele, left us without an alternative and created undue expense to this township but the impact and mistrust that you placed onto this board could create the ultimate wrongdoing.

As I conclude I have a back ground in nursing and work in process improvement. I look to see how can this be prevented in the future and how can you now have any critical conversations necessary with other families of Harris Township. I am a "fixer". But in the last 10-15 days since we discovered this issue I have been trying to really get down to the root cause of why this happened. I can say with some assurance that we can place some responsibility to the lack of technology in the 70's and truly decades before this time but when I get to the root cause of why do we have to exhume a man who was knowingly laid to rest in what was to be his eternal resting place with military honors I can conclude that is the responsibility of three individuals a Larry Key, Michelle Smith and Gary Rosoto.

Leadership was certainly lacking as they hear Derek tell me and frustration how many times he brought this concern forward to council members, over the course of over 2 years. I am certain under Kennys leadership that this will now be resolved.

As we conclude what our needs are it's been painstaking to think of what can make this better there's absolutely not a single thing that can make us feel better about what happened we were offered to create a new family cemetery plot which will result in my father being exhumed from his family plot. We will have a family meeting to reflect no novation at this time and will get back to Kenny in the next 10 days. We request that all of this issue is fully resolved no later than September 1, 2016. We would like to sustain our current plots to assure that nobody goes through this issue again if there are other issues that we can help rectify as we recognize that there are other families impacted we would like to discuss that.

The family of Rex Myers works for their money they don't sue for it, we do however fight against ignorance and we have intolerance for laziness and a lack of integrity which is something that our father taught us and we will fight for resolution we are not here to profit in any means for the wrong doing that is happened to us we are here to assure that this doesn't happen to somebody else and that's the legacy we would like to leave for our father.

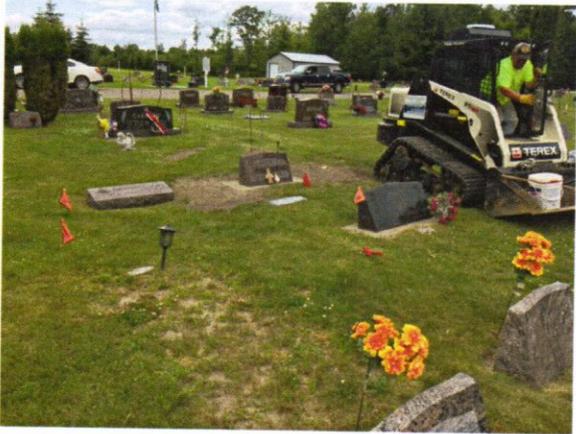
To the other families buried at Harris Township that may be impacted in this issue at no time did we ever consider asking that the two individuals be moved. We understand that there is a statue noted in the email we received last night and we would like to work with the current board members to assure that they are not moved unless they are requested to do so by their next of kin. We choose to move our father Rex to assure no other families are impacted.

I would be more than willing to help out to resolving future issues.

Angela Olson

Daughter of Rex and Judy Myers

Mr. Meyers grave site as of 7.5.16



Mr Meyers

