

**MINUTES from the REGULAR Meeting
Harris Township Board
Wednesday, August 11, 2010 at 7:30pm**

The Regular Meeting of the Harris Town Board was held on Wednesday, August 11, 2010. The meeting was called to order at 7:30pm, at the Harris Town Hall, with the following officers present: Supervisors Larry Key and Dennis Kortekaas; Clerk Michele Smith and Treasurer John Jokela. Absent: Supervisor Gary Rosato.

Also in attendance: Julie Kennedy – SEH Road Engineer for the township

1. **Pledge to the flag** was followed by the reading of the township mission statement.
2. **Approve the minutes** of the Regular Meeting on July 14 and the P&D Meeting on July 28, 2010.

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

3. Roads

Julie Kennedy – project updates (see memo packet attached)

- **Underwood Road Turnaround Project:**

This project is currently out for bid. The bid opening is scheduled for 2:00 p.m. on Wednesday, August 25, 2010. The bid abstract and recommendation letter will be presented to the Board that evening, at the township P&D Meeting.

In addition, Attorney Andy Shaw is working on an easement agreement for the use of a small portion of the Doug Gunderson property, to plow snow. The township is seeking an additional 15' feet ROW easement, solely for snow placement.

- **2010 Gravel Road Project;**

Hawkinson Construction completed the placement of new gravel on all of the project roads, except Hauser Road. Braun Intertec conducted compaction testing using the Modified DCP Procedure on June 28, 2010. Six tests were performed - one on each of the roads in the project, with the exception of Hauser and Wagon Wheel Roads. All tests passed.

The final pay application totals \$39,467.99, and Julie recommended approval of payment by the board.

Also included in the packet for the board was a MN Revenue Contractor's Withholding Affidavit (IC-134) confirmation, which is necessary to receive final payment.

A motion was made by Supervisor Key, seconded by Supervisor Kortekaas, to approve the pay request to Hawkinson Construction, in the amount of \$39,467.99 for the gravel road project, using 4318.16 tons of Class 5 aggregate material. Upon roll call, motion carried.

Another motion was made by Supervisor Key, to close out the construction contract for the gravel road project with Hawkinson Construction, as all work had been completed and all necessary paper work (IC-134) has been received. Motion passed. It was noted and agreed that Wagon Wheel and Hauser will not be compaction tested.

- **Apache/Isleview Culvert Replacement Project:**

Hammerlund Construction completed the placement of a new culvert and bituminous patch at the intersection of Apache and Isleview. SEH has reviewed and approved the submitted service order showing the time and materials required to perform the work. The total cost for the work was \$6,704.00. Since an IC-134 was requested, but not yet received, 5% will be withheld from the pay request.

A motion was made by Supervisor Key to approve partial payment of \$6,368.80 to Hammerlund Construction for culvert replacement on Apache, as described. Supervisor Kortekaas seconded the motion thus duly passed.

- **Stony Point Road ROW:**

SEH researched the county records for the ROW documentation of Stony Point Road. A copy of the road petition for the road was included for the board, which had been filed with the County. And while it appears that the petitioners followed through with the petition, the road order was never approved or recorded.

The only known ROW is in the plat of “Kaynosh Beach”, where there is a platted ROW – and a portion of it is 66’ in width. However, it cannot be determined if Stony Point Road is within that ROW because the county cannot tell where the ROW actually is. Therefore, the township would have prescriptive easement only, and the ability to work within the width necessary to maintain the structural integrity of the road. This means that if there are no ditches, the prescriptive ROW would only be from the edge of bituminous to the edge of bituminous. Prescriptive easement would be enough for an overlay, per Julie, when asked by Supervisor Key.

The length of road was also discussed. There is a small portion of Stony Point Road that is not in Harris Township. It’s a small horseshoe shaped corner, where the road leaves Harris Township – goes into Bass Brook Township – and then comes back into Harris Township. If an overlay is done, permission from Bass Brook would be needed to improve that portion of the road.

Discussions will continue on how to improve Stony Point Road, after the bid for the Underwood Road comes back, and the budget can be reviewed.

- **Bear Creek Drainage Project (east end):**

Julie visited the site of the Bear Creek drainage issue and researched the ROW in the area. Gravel is being washed away, and needs to be corrected. It appears from County parcel data that the cul-de-sac, and down slope, is in within township’s ROW. It was her recommendation that the Township utilize its existing easement area to make improvements to the grade and drainage condition, east of the cul de sac. Julie added that they would work with the adjacent landowner during the design process to ensure that the improvements will match any improvements he may desire to do to his property. Julie added that they would need to confirm that it’s a recorded ROW easement, and if it is, the township could improve the area right up to to Johnson’s driveway.

Julie recommended that the board move forward with design to create a ditch for runoff water, to stop the water that is currently running down the road and into Johnson’s driveway. This has been an ongoing problem for years, per Key, and the Maintenance Crew has repaired it several times. As it is now, the condition will only continue to get worse. One option discussed was possibly moving the cul-de-sac, a bit to the east, which would allow the landowner to adjoin it if needed. However, this would require the loss of trees. Julie would like to discuss this option with the landowner as well.

Supervisor Kortekaas made a motion to authorize SEH to prepare design to correct the drainage concern, and solicit quotes from area contractors for the constructing the improvement. Supervisor Key seconded the motion, and thus duly passed.

Other road issues:

- **Casper Construction – grading**

Supervisor Key commented that Casper had been contacted, via email, about which roads to grade, but that no grading had occurred yet. Key was expecting that Casper would be finished grading by the end of the week. Julie will follow up with Casper, as she was planning on talking with them anyway.

4. Treasurer’s Reports: July 2010 Financials

July’s financials were reviewed verbally by Jokela. He noted that the Recreation Fund went negative due to the paving of the Crystal Park parking lot. The current balance of the fund was (\$5,808.13). However, Jokela added that once apportionments are received in December, the fund will be back in the black.

A motion to approve the Treasurer's Report as presented was made by Supervisor Kortekaas. Supervisor Key seconded the motion, and upon roll call, motion was passed.

5. Business from the Floor

None

6. Recreation

- Turf and Tree has been at Wendigo Park, cutting down dead trees and limbs that were hanging down. This project has likely been completed by now.
- Many compliments were received about Crystal Park, from a group who recently reserved the pavilion.

7. Correspondence

Board Action items:

- None

Noteworthy items:

- Notice from Minnesota Dept. of Revenue on Market Value Credit Reductions for 2010 and future years

8. Consent Agenda

1. Consider approval of the sale of two cemetery sites to David Bishop: Sec 2, Block 44, Lot 3, Sites 1 & 2
2. Consider approval of the sale of one cemetery site to Nicole Happy: Sec 3, Block 15, Lot 3, Site 2
3. Consider approval of the sale of two cemetery sites to William Salo: Sec 3, Block 13, Lot 3, Sites 7&8

Supervisor Key made a motion to approve items 1, 2 and 3 on the consent agenda. Supervisor Kortekaas seconded the motion, and upon roll call, motion carried.

9. Old Business

- A call was received from a resident of Mishawaka Shores, regarding a **dispute** between swimmers at **Mishawaka Landing** and someone was trying to back a pontoon boat into the water. The resident asked Supervisor Key if the landing area was a "beach". Key replied that it was *not* a swimming beach; there are no life guards or buoys. It's a boat landing. A Deputy Sheriff was also called. Signage was discussed.
- There has been **overnight parking** occurring again at **LaPlant Landing**. It appears that the people who own/use the island on Pokegama have parked there for days at a time.
- A **long distance phone line at the Service Center** has been requested in the past, but denied given that long distance service was available on the maintenance crew's cell phones. However, Supervisor Key brought forth the request again, as it's required for high speed internet and the fax machine. Key also again **requested a new computer for the Service Center** – preferably a laptop. The desk top computer currently used was a hand-me-down from the Blandin Foundation, and is running extremely slow. Its age was unknown, but if it was outdated for the foundation, it's now an additional 4-5 years old. Having reliable internet at the service center has become very valuable, as it's the main form of communication between the maintenance crew and the clerk regarding burials, pavilion reservations, and resident questions. In addition, the guys use the internet to research prices, parts, and check for upcoming burials listed in the newspaper.

Treasurer Jokela suggested adding a wireless modem at the Service Center, as then he could also access the internet while in his office – located there.

Supervisor Key made a motion to purchase a laptop computer for use by the Maintenance Crew, and add a long distance line, high-speed internet, and a wireless modem for the Service Center. Supervisor Kortekaas seconded the motion. It was discussed and agreed that Clerk Smith and Treasurer Jokela would take care of ordering what was needed. Upon roll call, motion carried.

- The **copier at the town hall will be taken in for repair/cleaning**, as it continues to jam. Stokes has agreed to take a look at it.
- Treasurer Jokela is in the process of **finding a new deputy treasurer**, since the passing of his former deputy, Peggy Bishop.

10. New Business

- Clerk Smith reported that the recent primary **election went well**. There was great turnout for the primary - apx 20% in Harris Township. The power did go out twice, due to road construction, but was only off for about 15 – 20 minutes each time. The ballot counter was found to have a battery backup, so that was worked out well.

11. Approve payment of bills

Treasurer Jokela reviewed the bill list with the board. Included was pay for the election judges.

Two additional bills will be added to the list, as previously moved:

- Hawkinson Construction, in the amount of \$39,467.99 for the gravel road project and
- Hammerlund Construction, partial payment of \$6,368.80 for culvert replacement on Apache.

The new total for bills would be adjusted to: \$89,008.00.

A motion was made by Supervisor Key, seconded by Supervisor Kortekaas, to pay the bills per the attached list titled "August 2010 Bill Listing to Board", plus the two additional bills to Hawkinson and Hammerlund as noted above, for an adjusted total amount of \$89,008.00. Upon roll call, motion passed.

12. Adjourn

Supervisor Key made a motion to adjourn the August 11th Regular Meeting of the Harris Town Board at 8:22pm. Upon a second by Supervisor Kortekaas, motion carried.

Respectfully submitted,

Michele Smith, Clerk