

BALDWIN TOWNSHIP REGULAR MEETING

December 17, 2013

Present – Supervisors Kimberly Good, Larry Handshoe, Tom Rush and Randy Atwood. Supervisor Jay Swanson arrived at 7:14 p.m.

Call to Order – The December 17, 2013 regular meeting of Baldwin Township was called to order by Vice Chairman Tom Rush at 7:04 p.m.

Pledge of Allegiance – All present recited the Pledge of Allegiance.

Additions/Corrections to Agenda

- Under Tabled Items add the word 'Discuss' to 'Approve/Disapprove Cell Tower Lease'
- Under New Business add ' Approve/Disapprove Partial Payment to Schendzielos and Sons in the Amount of \$37,448.05'
- Under New Business add ' Discuss/Approve/Disapprove Contacting Attorney Regarding March Election Absentee Voting Hours'
- Under New Business Change 'Approve/Disapprove Transfer of \$4,638.36 for Lawn Tractor Payment from Road & Bridge Fund to Debt Service Fund' to Read 'Approve/Disapprove Transfer of \$4,638.36 for Lawn Tractor Payment from Debt Service Fund to Road & Bridge Fund'
- Under New Business add 'Discuss/Approve/Disapprove Contractor for Boardwalk'

Approval of Regular Meeting Agenda With/Without Additions/Corrections – Handshoe/Good unanimous to approve the regular meeting agenda as amended.

Treasurer's Report:

December 2013 Preliminary Treasurer's Report – The clerk reported receipts of \$449,267.94 and disbursements of \$163,862.09, check numbers 17973 – 18018 and 6 EFT payments leaving an unaudited balance of \$593,902.75.

Road Report – Handshoe reported that tree trimming was done on 305th Avenue, 301st Avenue, east Sandy Lake, south Sandy Lake and 136th Street. There has been 2 plow sessions in December with 5 sand/salt/scrape sessions. Approximately 375 ton of salt has been used totaling \$3,700. He would like to have the snow complaints emailed directly to him. He asked that an addition to the next workshop agenda be added as looking at some of our trucks. The heater is in and was \$300 cheaper due to a rebate. The township is having a hard time getting salt out of Duluth for some reason.

Approval of Consent Agenda:

Approve Town Board Meeting Minutes of November 26 & December 2, 2013 – Good/Handshoe unanimous to approve the Town Board meeting minutes of November 26, 2013 and December 2, 2013.

Open Forum for Citizens: None.

CONDITIONAL & INTERIM USE PERMITS: None.

PLATS: None.

VARIANCES: None.

OLD BUSINESS:

County Planning & Zoning Report – Bryan Lawrence reported there was no meeting in November and recapped information from the meeting in October. He stressed that when people need to be specific when applying for interim use permits. There have been numerous public hearings with a proposed Verizon Wireless tower, and he believes it will pass as the cell tower meets all the county requirements.

Baldwin Planning Commission Update – Atwood said that part of the meeting was reviewing goals and objectives as well as driveway regulations and road right of way issues. The date of January 23rd was set as a tentative second meeting date in January. The Comprehensive Plan cover page is ready to go, and some of the maps are finalized. The bulk of the survey is done and collated with preliminary results basically split. There still is a position open for commissioner.

2013 Audit Company Information – Swanson/Handshoe unanimous to table until the first meeting in January 2014 as we have not received an engagement letter.

Approve/Disapprove Letter to Elk Point Resident – Swanson/Handshoe move to table until the first meeting in January 2014. Supervisor Good was absent from the room. Swanson, Handshoe, Rush and Atwood in favor. Motion carries.

Approve/Disapprove Replacement Glass for Townhall Window – Swanson/Handshoe unanimous to approve up to \$350 for replacement glass for Town Hall window.

Reschedule December 4th Workshop – Swanson/Handshoe unanimous to approve rescheduling the December 4th workshop to January 14, 2014 at 7:00 p.m. The deputy clerk will be present to take the minutes and Handshoe's agenda item will be added.

TABLED ITEMS:

Discuss/Approve/Disapprove Cell Tower Lease – The board reviewed the attorney's email which listed the current offer: \$100,000 payment; \$350/month (a reduction from the current \$615), plus \$150/month for each additional subtenant, inflated by 3% annually, and; a mechanism ensuring that the Town is notified if and when new subtenants are added. Good stated that it does not say anything about attorney fees. Atwood stated that his assumption is that the \$100,000 will cover legal fees and how

can we expect them to add an unknown number. Swanson stated that he looks at it as a slap in the face as it puts us in the position that if we ask questions then we lose money. Discussion on determining compound interest. Handshoe stated that the township has spent over \$6,000 in attorney fees already. Good first questioned if we can accept the \$100,000 and then stated that the township needs to clarify that they are not buying the land. Swanson/Handshoe unanimous to talk to Mr. Voce and ask for clarification of \$100,000 and that no way, shape or form of them purchasing the land. Swanson will email him and the issue will return to the January 6th regular board meeting.

NEW BUSINESS:

Approve/Disapprove 2014 Line Items for Each Fund – The clerk was instructed to deduct \$20.00 from the road repair line item to balance the fund. Swanson/Handshoe unanimous to approve the 2014 line items for each fund.

Approve/Disapprove Transfer of \$4,638.36 for Lawn Tractor Payment from Debt Service Fund to Road & Bridge Fund – Handshoe/Good unanimous to approve.

Approve/Disapprove Clerk Vacation Days, December 26 & December 27 – Swanson/Handshoe unanimous to approve December 26 and December 27 vacation days for the clerk.

Approve/Disapprove Partial Payment to Schendzielos & Sons, Inc. – Good/Handshoe unanimous to approve partial payment of \$37,448.05 to Schendzielos & Sons, Inc. for the 142nd Street project.

Discuss/Approve/Disapprove Clerk Contact Attorney – Good/Handshoe unanimous to approve contacting MAT regarding having the Town Hall open the Monday before the election until 5:00 p.m.

Discuss/Approve/Disapprove Boardwalk Quote – Rush stated that letters were sent out to the quoters a week ago. Jon Bogart stated that there basically is not anything new as they had already prepared a quote and already knew what work was involved. He believes a week is long enough. Good/Handshoe unanimous to award the project to JTO Services in the amount of \$22,550. The other quotes were as follows: Patten Landscape Architecture, LLC: \$46,988.75 and Helmin Construction: \$29,997.81. Swanson will coordinate. The clerk stated that a certificate of insurance will be required. Tape will be put up to say the trail is closed. Atwood questioned if there would be any weather exclusion. The contract is for 45 working days. Handshoe stated that the contractor should be given the key to the brown building so he can access what he needs.

Announcements:

- Town Office Closed for Christmas, Wednesday, December 25th & Wednesday, January 1st for New Year's Day

- Town Board Position Filing Opens December 31 and Closes January 14, 2014
- Handshoe reported that the hauling is complete on the Sewer Lagoon Road but road repairs will have to wait until spring. The township will need to continue to hold onto their money.

Any Other Business: None.

Motion to Approve Bills for Payment – Good/Handshoe unanimous to approve for payment check numbers 17973 through 18018 and 6 EFT payments totaling \$63,862.09.

Adjournment – Handshoe/Good unanimous to adjourn at 8:36 p.m.



Submitted By: (s/) Cathy Stevens
Clerk/Treasurer
Baldwin Township



Approved By: (s/) Tom Rush
Vice Chairman, Board of Supervisors
Baldwin Township



Date

Attendees: Lester Kriesel, Shelly Nemerov, D. Nemerov, Bryan Lawrence, Audrey Misiura, Jon Bogart