

# **Town of Crystal Bay**

Regular Board Meeting

Finland Community Center

## **Minutes**

August, 15 2023

- I. Attendance: Russell Vance(Zoom), Amy Nikula, Mike Nikula, David Geist, Donna Lehtinen, Douglas Anderson, Terri Perfetto, Douglas B Perfetto, Paul Hartshorn, Colby Abazs, Lise Abazs, Anna Lasky, Randy Josephson, Honor Schauland, Kaare Melby, Susan Anderson, Johnathan Beauchane
- II. Paul called the Regular Meeting of the Crystal Bay Town Board to order at 7pm with the Pledge of allegiance.
  - A. MOTION: To approve the Agenda . Motioned by Paul , Seconded by , Russ Passed by unanimous consent.
  - B. MOTION: To approve the Regular July Meeting Minutes. Motioned by Mike , Seconded by Russ , Passed by unanimous consent.
  - C. Treasurer's Report:
    - Income

We had ~\$25,000 in deposits for July

      - ~\$7,500 shows up in the income portion of the report: from MN township aid, culvert payment, cemetery plots, and a housing grant
      - ~\$11,500 from family connected to the Cartway to reimburse legal fees
      - There was a change in how much the lawyer is owed, so we will still be getting a check to pass through from them once that is Settled.
      - ~\$8,000 in insurance reimbursements for past R&B expenses and went directly to reimburse the garage & equipment/vehicle expense accounts further down in the report.
    - Expense

○ Main expenses: quarterly payments to Town Board Supervisors & Officers, new computer for the Clerk, R&B payroll and regular grader loan payment, septic inspections (have an insurance claim for), tax late payments & MN unemployment insurance late fees

● Supervisors- you have a detailed Income Expense that lists out vendors and specific payments for your reference

July things to note in the Balance Sheet:

- Our general checking has ~\$212,000; last year at this time we had ~\$245,000. We are doing okay but should continue to prioritize spending to ensure we have reserve funds for emergencies.
  - Thank you to Pudgy reducing hours worked and prioritizing road work needs
  - And thank you to Stacy for all the insurance claims processes as of late
- The Fiduciary Funds & School House Creek Cartway Liability account should be zeroed out in the near future once they sort out the new payment needed.

MOTION: To approve the Treasurer's Report. Motioned by Russ , Seconded by Mike Passed by unanimous consent.

- D. MOTION: To approve paying all bills and claims due. Motioned by Mike Seconded by Russ Passed by unanimous consent.
- E. The board reviewed correspondence received by the Town.

Public Concerns:

Sue Anderson has concerns about the road tour notes from June. What are the perimeters of abandonment?

MOTION: To not plow from the end of the trailer court to the end of Roses Rd. Motioned by Paul, Seconded by Mike passed by unanimous consent.

Johnathan will be paying the balance as of Sept 1st for the Co-op Loan.

Johnathan said the Coop is looking to build a new store in the next 10 years.

Johnathan also asked if the Town Board knew of any land on Hwy 1 they don't know about for sale or trade. So far they are looking at property across the street from the existing Coop store.

Doug brought up Grant Hauschild flyers in the mail township and should look into talking with him to see about receiving infrastructure money for our roads.

Reports (5 minutes each)

- A. Monthly Clerk Updates: Stacy
  1. Insurance: Three Current Claims out are still the #23BA037 Dump Truck Push Pull Arm/Frame, Septic, and workmans comp.  
#23BA037 Freightliner we have been awarded
  2. Clerking Supplies- Stacy ordered office supplies from Coop, bankers boxes,

binders, clear paper covers, normal office supplies pens, tacks, paperclips, stapler, calculator.

4. Records Update: We have now received the signed confirmation of receipt from the MN Historical Society- its hanging in the closet. This includes any convenience copies or back up records. The township must follow the record retention schedule for direction on what can be destroyed and what cannot. A records destruction report must be completed for "any" records that will be destroyed. This includes "all" hard copies and electronic copies that will be destroyed or deleted. MAT recommends that I inform the board at a regular board meeting of what will be destroyed and note it in the meeting minutes that they were notified. The board can also sign off and date the destruction report. I have been advised to also Audit our records since there has been no proper official record keeping since the second quarter of 2020. I will be keeping a detailed audit file so that way I don't have to waste time trying to locate things that are missing.

Clerks July 2023 Audit found: July- December 2020 no board meeting minutes or financials printed and filed. January- December 2021 no board meeting minutes or financials printed and filed. January- December 2022 no board meeting minutes or financials printed and filed.

January-June 2023 no board meeting minutes or financials printed and filed. I went back through Google Drive and printed off all 3 years of Minutes and Financials. I sealed and filed the minutes with the financials in the Clerk's Record Book for the correct years.

5. Clerks Hours have been going fine, still setting up a mobile office. Will be transitioning into a spot in the Clerk's/ FFC Office as time allows.

6. Email from Kari Hedin in Correspondence re: Cooper Road Culvert did start on July 31st as planned I have had no communication since. Maybe Doug has an update?

7. The U.S. Dept of Treasury has released updates to the Coronavirus State and Local Fiscal Recovery Funds (SLFRF), authorized by the American Rescue Act of 2021. There is a briefing on 8/16 (Tomorrow ) to learn more about the Interim Final Rule and new eligible uses. I am not able to attend this, if any board member would like to attend I can forward you the email with links.

8. Superior Point Yearly Audit was completed on July 25th.

9 PERA's yearly Exclusion has been filed. I have a mistake with Vaughns exclusion coding but I will get it straightened out.

10. I will not be holding Office Hours on Tuesday Aug 29th as I will be gone that week with my family. I also will be in the office from 9-12 on Tues. Sept 5th unless the Pepfest changes to the morning then I won't be in at all for office Hours.

11. I attended the PERA Zoom on the 10th for the Legislative Updates for Employers.

B. Road and Bridge: Doug

Mike with Blaine Brothers called and the push pull arm bracket are on backorder right now estimated at 4 weeks.

Dump Truck Update for those at the meeting that don't know. The dump Truck Arm sunk in mud and bent the bracket, bent so much it bent the cab mounts, causing damage to the front suspension. They have to straighten the frame using a machine now. Might have to rent a dump truck if it takes longer than 4 weeks to get the truck back. Heffelfinger and Park Hill Rd need gravel . Backhoe and pick up will work for culverts. Russ asks would the county be willing to help us out with equipment , and Doug will look into it.

Cooper Rd Update:

Personal vehicles are being used on the snowmobile bridge by 1 resident.. Doug talked to the county, water and soil and the contractor and right now boulders will be placed at the end of the bridge. Liability, damage for Crystal Bay is a huge factor so this needs to be addressed, and stopped quickly. Contractor needs to set boulders to prohibit the resident from using their vehicle to get through but not prohibit the use of a wheeler or side by side from getting through.. Doug will follow up and tell the excavator guy on the job to place boulders in such areas that will mitigate the use of a personal vehicle across the snowmobile trail.

Talk of the road being done ahead of schedule, that would be so great for the residence.

C. Community Center: Honor  
( See Attached Letter)

D. Cemetery: No report Vaughn will be back for the September 19th meeting.

Stacy asked if everyone knew about Resolution 2000-3 since the last meeting there were cemetery questions.

Russ asked for a copy to be emailed to each Supervisor so they can look it over and that one needs to be provided to Vaughn so everyone is on the same page with the set rules and regulations of the Crystal Bay Cemetery.

#### E.. Housing Project/ Next Steps: Honor/Stacy/ Mike

1. First Community outreach meeting was held Sunday August 6th at 6pm
2. Job descriptions didn't get to me until Wed Aug 2nd. I have them running in the North Shore Journal Aug 11th, 18th and 25th. Deadline with an application deadline of Sept 1st. I have them being handed out at both housing meetings and have been posting them on our facebook, and posted them at the Coop and Clair Nelson Center Notice Boxes.
3. Mike's outreach meeting update:  
Steering Committee Help is needed. Why can't the jobs posted be one contractor? If 1 person does apply and is qualified the Township could certainly merge the two jobs into one. Wage would still be 25.00 an hour  
Board suggests for the Clerk to check out open meeting rules for interviewing for the housing project. Stacy will Consult with MAT and have information for the September 19th Meeting.

### III. Old Business

- A. Grader Repair Payment: Loan has been written up, signed and paid by NSFCU Wire on Aug 9th. We are set up for automatic payment with Credit Union on a ten year amortization scale. 1952.17 a month. I have copies of the Resolution and COI to file with Township Records.  
The total amount borrowed went down from 161,593.08 to 160,913.86 due to a payment on the grader with the old loan. I gave you copies in your packets to look at. Peters Final Bill was sent and in the folder, his final total was 1597.75 There are around \$200 in issues regarding the Uniform Commercial Code and grader. So, in rough terms that means Peters Firm did the lending part for around \$1300 which met his goal of being under \$1500 and allows the final bill to be just about at that goal number even with a couple of additional items.

#### B. Cartway

Regarding the completion of the cartway. The allowance of costs and disbursements has increased the judgment amount by 722.42, which increases the amount payable

to The Wartmans for a total of 5,737.42.

MOTION: to accept the Supplemental Resolution Requiring payment to open the cartway. Motioned by Russ , Seconded by Mike , Passed by unanimous consent.

C. Unemployment Payment Issue:

This is a reimbursable account and the remaining 539.50 is for unemployment insurance benefits paid to Gary Olson in Q3'20 and Q4'20 and 30.00 in late interest. Some charges for Gary's benefits were written off because they were COVID related but 539.50 remains on the account in addition to 1,000.00 in late fees.

I submitted 3 years (2020 to current) of UI reports and got 1,000.00 waived. The agent I spoke with advised me to pay the 539.50 to avoid late fees. He Opened a request for refund and if granted we will get a letter in the mail stating The 539.50 will be a credit on our account or they will issue a refund.

D. Community Center Septic: Honor/Paul/Stacy

Review the two bids.

1. Warnecke Construction LLC

Noting the price doesn't include the cost of a broken tank or tank replacement Noting there could be some unforeseen repairs with the recirculation tank re: Faulty plumbing. Any additional repairs there will be billed accordingly. Total of 98,800.00 With 48,900 down payment and 48,900 once noted items on bids are completed. Requires Signatures Accepted by and Accepted Date

2. EW Trucking for 103,000

Stating Rebuild Mound 1 and 2, Install new supply lines, New Pumps And Plumbing, seal recirculation inlet and outlet: Noted there could be hidden Costs because it's undetermined why the tanks leak.

MOTION: to move forward with Warnecke Construction LLC

Motioned by Paul , Seconded by Mike , Russ Nay

Russ is not in favor of either bids due to having family members submit each bid.

MOTION: Crystal Bay will not pay Warnecke Construction LLC until after the insurance has reviewed the quote and agreed to pay or deny the claim.

Motioned by Russ , Seconded by Mike , Passed by unanimous

Randy Josephson agrees that hiring local is best and is in favor of hiring Warnecke Construction LLC..

E. Airport Feasibility Study: Paul No update

Stacy uploaded a copy of the report to our website. Russ added 2 people have viewed it.

F. Lake County Gravel Bid : Stacy

Gravel crushing contract with Lake County. Jason said that they are a bit behind so they plan to have the contract ready for September 19ths board meeting.

The county will give the township dirt from one of their piles if the bid extends again, so Doug can get road work done on Heffelfinger and Park Hill Road.

H. Visa limit increase information:

Typically, with business accounts that have turnover of signers (unlike a sole proprietorship type account) NSFCU suggested doing a share secured VISA. This would hold \$8000 in the regular savings account (still earning interest) and allow the Township to back the VISA rather than specific signers. If the township wants to proceed with the share secured VISA, NSFCU will just have to have minutes stating this is the plan and collect signatures from anyone who will be an authorized signer on the updated VISA application (once signatures are complete the increase on VISA will take immediate effect). If the Township would like to increase the card without the share secured, NSFCU will have to pull credit and collect tax returns on each signer. This would have to be done each time there is a change in signers, due to change in our policies.

MOTION: To approve moving forward with the (share secured VISA) application  
Motioned by Russ , Seconded by Mike , Passed by unanimous consent.

G. Road Tour and Previous Residential Concerns In June 2023 Meetings

1.Decision on abandoning; Ostman Road, Jeff Tikkaneen's Section of

Silver Hill. Re: Silver Hill Paul stated that, Kenny Nelson lives past that and needs access to his land and would like to leave it plowed.

2.Decisions on Minimum Maintenance RoadAction: Second part of Park Hill Road Board advises Clerk to consult with MAT and see what they say re: abandoning or Moving an existing road to Minimum Maintenance.

H. Voter Survey: Stacy

1.Voter Survey:

Clerk is to amend the survey to break out the housing to stand alone and the in person voting survey to township residents. Was not done, the Clerk has no time to do this survey right now. If the board wants it done, is that something one of The board members would want to take on or hire a deputy clerk?

Board advises Clerk that this can be tabled as she gets her bearing with the

position of Clerk.

### I. Voting/In Person : Stacy

1. It was brought up to me that the service of coordinating rides for those without means on election day is something the Crystal Bay Township Clerk would provide notes(April 2022 Minutes) . I am not going to be available for that service, if the board desires a rideshare or someone to coordinate that someone might need to be appointed or hired for this.

2. I have emailed Linda Libal at the Two Harbors Courthouse and she shared the following information with me re: Voting if the town board would like to move in the direction of having in person voting again she reshared past correspondence with Colby Dated March of 2022.

1. The County is unable to offer a satellite office on election day in Finland.
2. The Township could be granted all duties associated with the Mail Ballot process. This would require special training for the Town Board Clerk. The Town Clerk would also be responsible for handling all activities outlined in the attached 2020 Town Clerk Election Guide and the 2020 Minnesota Mail Voting Guide. Remote mail ballot locations (the Town Clerk) would be responsible for all aspects of mail balloting which includes mailing of ballots, following up on undeliverable mail ballots and establishing a mail ballot board (which needs to include at least one member from each major party) to examine and accept or reject the mail ballot and then process them.. This would be a lot of extra work for the Township. Establishing a separate mail ballot polling place would also require a special resolution from the County.
3. The Town Board could decide to change back to an in-person polling location. This process would also need to follow the 2020 Town Clerk Election Guide. The Township would be responsible for providing an adequate number of trained election judges for in-person voting. There are timelines included in the Guide for changing from Mail Ballot to In-Person. The cost of the Election Judges (training and election day) would be the responsibility of the Township. There are also requirements for voting hours on Election Days, and Election Day results and equipment/supplies must be returned to the Lake County Courthouse after each election.
4. Crystal Bay Township can remain as a Mail in Ballot Township. The Township currently covers the cost of postage and processing of all mail ballots.

**Items to note:** Requirements for any changes must be based on the Primary election held in August. Required training will need to be completed by Mail Ballot Board members and election judges and all must be available for both the Primary Election in August and the Regular Election in November. We also discussed the possibility of doing some training or offering "Registration Days" in the Township to assist with the Voter Registration process.

We hope this provides you with the necessary information for your Board to make their decision.

Linda also shared with me: Below is the wording from the Mail Voting Guide on revoking Mail Balloting. I am also attaching the full guide for your review.

3.3 REVOKING MAIL BALLOTTING A resolution to authorize mail balloting is effective until revoked. The governing body that originally authorized mail balloting may approve a resolution to revoke authorization to conduct mail balloting no later than 90 days before the date of the next affected election (not between the state primary and state general). The municipal clerk shall notify the county auditor of the discontinuance of mail balloting no later than two weeks after adoption of the resolution. The county notifies the OSS by changing the precinct's profile in SVRS to remove the mail ballot information.

#### IV. New Business

1. Voting Operations, Technology & Election Resources (VOTER) Agreement between Lake County and Crystal Bay Township

MOTION: to approve the foregoing agreement with the Lake County VOTER account Agreement. Since Lake County Manages our Ballots both mail in and absentee they are asking to keep the amount that would have been allocated to Crystal Bay Township for Voting. Total allocation to Lake County as a whole is 4998.75 / 80 percent of this is allocated based on registered voters, and 20% of that amount is allocated evenly to all 87 counties.

Motioned by Paul , Seconded by Mike passed by unanimous consent

2. Application to Blaine Brothers.

The purpose of the credit application is so that we can get the account set up with the correct billing information. Crystal Bay doesn't need any references or banking info, just the company name, address, A/P contact information and the 3 questions answered on the first page MOTION: To fill out and send in our account application to Blaine Brothers

Motioned by Russ , Seconded by Mike, passed by unanimous consent

3. Local Road Improved Program Road Funding

- A. Township applicants need county sponsors
- B. County acts as Fiscal agency, state dollars flow through the county
- C. No local match required, 100% of eligible construction costs, are reimbursable.
- D. Contractors incur costs, agency or sponsor submits pay request to State Aid to be reimbursed with grant funds.

Routes of Regional Significance Account and Criteria for Eligibility.

- Provide Grants to Counties, cities, townships and tribes.
- Statewide or regional significance
- Local road construction, reconstruction, or reconditioning project.

Criteria for Eligibility

- Provide Statewide regional benefit

- Major Collector, Minor Arterial, or Principal Arterial (some exceptions)
- Be located on CSAH, MSAS, county road, city street, township road or Tribal road and owned by the city, county, township, or federally recognized Indian Tribe.

E. Deadline for the Applications is Dec 8th with funding to those awarded towards End of March of 20204.

F. All 2023 LRIP Selected Projects shall be construction ready in 2024-2026

G. Townships that apply will be considered against other townships

Russ requested an email be sent to board members with the

Information so they can make a decision for September's Meeting.

IV. MOTION: to adjourn the meeting at 8:43 pm until September 19th , 2023 at 7:00 p.m. at the Finland Community Center. Motioned by Russ , Seconded by Mike passed by unanimous consent.

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Paul Hartshorn- Board Chair

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Stacy Breden - Clerk

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Russell Vance- Vice Chair

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Michael Nikula- Supervisor

