

**POKEGAMA TOWNSHIP
APPROVED REGULAR BOARD MEETING MINUTES
SEPTEMBER 14TH, 2023**

Chairman Terry Peterson called the meeting to order at 7:00 pm and the Pledge of Allegiance was said. Supervisors who were present were Dave Deutschlander, Jason Zastera, Wayne Whited, Dean Swenson. Also present were Administrative Clerk Christy Belsheim, Zoning Administrator Gordy Johnson and Treasurer Darla Hall, Attorney Mike Couri

AGENDA

Chairman Terry Peterson asked for any changes or additions to the agenda. Administrative Clerk Christy Belsheim requested to add Dean's letter at the end, LTAP Fall Expo under roads, and to move Pokegama Lake MHC/RV Park meters/REU's to after the minutes are approved. Terry Peterson **motioned** Dave Deutschlander seconded to accept the agenda with the requested changes. All in favor motion carried.

APPROVE MINUTES

Dave Deutschlander **motioned** Wayne Whited seconded to approve the August 10th, 2023 Regular Board Meeting Minutes as written. All in favor motion carried. Terry Peterson **motioned** Dean Swenson seconded to approve the September 6th, 2023 Sewer Committee Meeting/Special Board Meeting minutes as written. All in favor motion carried.

Pokegama Lake MHC/RV Park

Chairman Terry Peterson explained representatives from Pokegama Lake MHC/RV parks are here tonight, and with a lot of phone calls and emails back in forth between both parties and their attorneys. A 60-day agreement has been written up for now to use REU's for PLMHC/RV Parks instead of the flow meters, for September and October billing. The Township and PLMHC/RV Parks have counted and agreed on the amount of REUs:

Full Time 138 * \$35 = \$4,830

Part Time (2 RVs = 1 REU) 78 * 35 * .05 = \$1,365

Golf Course 1 * 35 * 0.5 = \$17.50

Full Time Office 1 * 35 = \$35

Part Time Office 1 * \$35 * 0.5 = \$17.50

Shop 1 * 35 = \$35

Dump station, Fish Station 1 * \$35 * 0.5 = \$17.50

Total Monthly Charge \$6,317.50

Township attorney Mike Couri gave a brief history on the property. He stated the previous owner were being billed around \$7,800. Then due to a settlement agreement flow meters were installed. In October 2021 the Township started to use the flow meters for billing sewer user fees. PLMHC/RV Parks were under the assumption the sewer user fees would go down instead they increased some reaching around \$20,000. The meters have been calibrated and they are accurate, but if something gets stuck in them or have standing water in them, we assume they do not read correctly, and assume the numbers are inflated. Attorney Mike Couri then explained at the last meeting the PLMHC/RV Parks wanted the Township to sign a 20-year settlement agreement, he does not recommend. Attorney Couri stated a 60-day agreement has been drawn up to stop the bleeding for now, and work on a 5-year agreement. The township may have to

pay some money back. The meters will be kept in place and will be monitored, but bill for REU's. Matt from the PLMHC/RV Parks explained he just wants to be treated fair like the neighboring park and like everyone else. He feels the meters are faulty and are not working. Administrative Christy Belsheim stated that the August bill was billed on the meters and is in the mail. Again, Matt stated he just wants to be treated like his business neighbor. After a lengthy discussion, Dave Deutschlander **motioned** Dean Swenson seconded to approve the 60-day settlement agreement. All in favor motion carried. The settlement agreement was signed by both parties with attorney Mike Couri as a witness.

PAYROLL

Dave Deutschlander **motioned** Terry Peterson seconded to approve check #14174 through check #14202 includes PERA, IRS, MN dept of Rev. for total of \$18,365.69. All in favor motion carried.

SEWER

Dean Swenson **motioned** Dave Deutschlander seconded to approve check #3538 through check #3541 & check #3543 through check #3547 & ECE EFT \$1,480.28. for a total of \$17,542.66 All in favor motion carried. Dean Swenson **motioned** Wayne Whited seconded to approve check #3542 for \$10,311.70 Dean Swenson yes, Wayne Whited yes, Jason Zastera yes, Dave Deutschlander yes, Terry Peterson abstains due to conflict of interest. Motion carried.

TOWNSHIP

Terry Peterson **motioned** Wayne Whited seconded to approve check #14203 through check # 14217 & check #14219 & check #14220 & EFT Viastat \$175.74, EFT Verizon \$163.20 for a Total of \$47,005.79. All in favor motion carried. Jason Zastera **motioned** Dave Deutschlander seconded to approve check #14218 for \$13,560.00. Jason Zastera yes, Dean Swenson yes, Dave Deutschlander yes, Wayne Whited yes, Terry Peterson abstains due to conflict of interest. Motion carried.

TREASURER

Treasurer Darla Hall went over the cash control statement and read off the ending balances in each account, with the total ending balance of \$536,904.82. She explained there are 2 sewer cds due at Stern's Bank both for \$173,252.75. She stated that we need to cash one of them in. After a brief discussion, Dean Swenson **motioned** Terry Peterson seconded to take out the 2 cds due September 17, 2023, both for \$173,252.75 at Sterns Bank. The funds are to be deposited into Frandsen Bank money market account. All in favor motion carried. Treasurer Hall should be looking into interest rates to reinvest at a later time. Wayne Whited **motioned** Terry Peterson seconded to accept the treasurer's report as given. All in favor motion carried.

BUILDING

Still waiting on specs

CLERK

- A. The Administrative Clerk will be attending clerk training on September 26, 2023.
- B. Clerk Belsheim presented the list of past due sewer user fees and explained she will be sending out letters tomorrow. The letter states if we do not receive payment by October 31, 2023, the amount due will be certified to Pine County. They will have a chance to dispute the user fee

amount at a special meeting on October 12th, 2023 at 6:00 pm. They have until September 29th, 2023 at 12:00 pm to request to be heard at the special meeting. The clerk will post stating that the regular board meeting will take place immediately after. A comment was made the list is unusually long this time. Treasurer Darla Hall explained most people will pay.

- C. Clerk Belsheim explained she received a letter from the Pine County explaining in the 2023 legislative session, a funding source was created for elections called "Voting Operations, Technology, Elections, and Resources Account (VOTER Account). Pine County's portion is \$7,827.95 with Pokegama Township allocation amount from the county is \$214.12. Pine County is asking to yield the township's funding in 2023 & 2024 to the county to use for county wide election expenses or the township can receive the allocations but understand the reporting that goes with it. The town board will table for now. Clerk Belsheim will contact Pine County to see what is involved with the reporting and what the funds can be used for.
- D. The Clerk reminded the supervisor that the Township Legal Seminar is on Saturday from 9:00 -4:00 in Rutledge if they are interested.

ZONING

Supervisor Wayne Whited read the facts and findings for a commercial mining conditional use permit for Jones Construction at 6122 Rolling Hill Rd. After, reading the facts and findings a property owner spoke stating that at the public hearing there was a few different things that were talked about. The first thing noted was speed limit and signs. The township will not put-up speed limit signs but the trucks should drive with care and at a lower speed 20 mph. Second, from the property owner it was noted that the hours of operation at the public hearing were from 8 am-5 pm and no Saturdays or Sundays. Her last concern was whether a 6-8 ft berm was going to be placed. Yes, there will be a berm placed around the work area. After a brief discussion Dave Deutschlander **motioned** Wayne Whited seconded to approve the commercial mining permit for Jones Construction located at 6122 Rolling Hill Rd with all the facts and findings from the planning commission. The hours of operation are from Monday-Friday 8am-5pm and no Saturdays or Sundays. Dave Deutschlander yes, Wayne Whited yes, Jason Zastera yes, Dean Swenson yes, Terry Peterson abstains due to conflict of interest. Motion carried

FIRE

Administrative Clerk Belsheim stated there are a few emails regarding the fire district. If anyone is interested in updates on it.

ROADS

- A. Grader Service Agreement- The board of supervisors looked over the new service agreement. Supervisor Jason Zastera pointed out that in the service agreement it states that it is a 6-wheel drive grader, and it is not. Supervisor Wayne Whited will call and have it changed. Tabled for now for clarification on the 6WD.
- B. Linds Lane – Road Supervisor Wayne Whited stated he has looked at Linds Lane where there is a drainage issue. He explained briefly on how we could make it better with possibly hauling in some gravel. It was mentioned the turnaround is so tight. There was some discussion that there was some land dedicated to the township to use as a turnaround however it was never recorded so there is not much we can do about it. Jason Zastera **motioned** Terry Peterson seconded to fix the drainage issue on Linds Lane. All in favor motion carried.

- C. Clerk Belsheim mentioned the LTAP Fall Expo is on Wednesday, October 4th and Thursday, October 5th, in St. Cloud.
- D. Supervisor Zastera mentioned we had a contract for gravel to get done in a certain amount of time and it did not get done. We should not be doing gravel in September; it is getting kind of late in the year for graveling. Zastera feels we should let them know for next time it should be done in the contracted time. Chairman Terry Peterson stated we are not using the contracted amount of gravel either. One of the reasons why the gravel was not done sooner the grader was gone for a couple weeks for service.

SEWER

- A. User Fee Increase – Treasurer Darla Hall has looked over the user fee increase. The sewer committee has approved the rate increase. Terry Peterson **motioned** Dean Swenson seconded to approve resolution 2023-8 rate increase for sewer billing. The new rate will be 1 REU=\$45.00, \$16.34 per 1,000 gallons, other commercial business per individual resolution. The rate will go into effect January 1, 2024. All in favor motion carried.
- B. Henriette User Fees- Treasurer Hall explained when she took over the billing, Henriette has always been charged \$204.04. The City of Henriette has their own contract with the City of Pine City. Our contract with the City of Henriette states that we should charge \$1.50 per 1,000 gallons. We have never received meter readings from the City of Henriette. The sewer committee has recommended to follow the contract. Peterson stated he will talk to Henriette to get the readings. Terry Peterson **motioned** Dave Deutschlander seconded to approve resolution 2023-9 City of Henriette sewer billing should follow contract. All in favor motion carried.
- C. Updated SAC Ordinance Clerk Belsheim explained that she has changed the wording in the Ordinance Imposing Sewer Availability Charges. She added an increase annually of 4% beginning January 1st, 2024. Treasurer Darla Hall mentioned we should state that the amount was determined from the rate study done by MSA Professionals. Terry Peterson **motioned** Dave Deutschlander seconded to accept Ordinance 2023-2. With the addition the sewer access charge was determined from the rate study done by MSA Professionals. All in favor motion carried.
- D. Clerk Belsheim explained the sewer access charge has been set at \$8,400 with a 4% annual increase starting January 2024. There have been questions if a developer pays for the infrastructure will the sewer access charge decrease. The sewer committee recommended to keep the sewer access charge the same for everyone. The supervisors discussed the rate study from MSA Professionals stating that a developer should pay a full sewer access charge because they are paying for a place holder in the sewer system. There was a moderate discussion Terry Peterson **motioned** Dean Swenson seconded the sewer access charge for the developers should be equally charged. All in favor motion carried. At the sewer committee meeting, Attorney Mike Couri stated the sewer access charge should be the same for everyone. A discussion was had on the Birchview extension the sewer access charge was \$4,100. Attorney Couri suggested we use covid funds to offset the access charge so it is equal for everyone. Dave Deutschlander mentioned the covid money was to be used for sewer and broadband and he feels that what it should be spent on. He stated it should be used to help offset the sewer access charge for failing sewer systems that are within 1,000 ft of the lake. The Birchview extension had failing systems that is why it was extended and the reason the SAC was \$4,100. New construction is to be charge a full access charge. Jason Zastera **motioned** Dave Deutschlander seconded to accept Resolution 2023-10 for Covid money

to be used to offset the Sewer Access Charge for failing systems within 1,000 ft of the lake. Funds will be taken out of the Covid fund account and placed in the Sewer Access Charge account. All in favor motion carried. Treasurer Darla Hall mentioned they should have to show proof of the failing system. Chairman Terry Peterson stated they need to show a certificate of non-compliance from a certified sewer inspector.

NEW BUSINESS

- A. ECCC Contract- Wayne Whited explained that the ECCC Contract is up in November. The new contract has not changed from the last one in 2013. Terry Peterson **motioned** Jason Zastera seconded to approve the ECCC 10-year contract. All in favor motion carried.
- B. Couri & Ruppe rates will increase to \$265 per hour for general legal work and to \$290 per hour for all development work (this amount is passed through to the developer for payment related to work done on their plat)

OLD BUSINESS

- A. Clerk Belsheim stated the new website is still being worked on.
- B. Clerk Belsheim and Chairman Terry Peterson will be meeting with FEMA for the spring flooding disaster on Tuesday, September 19th, 2023

AGENDA REQUEST – NONE

PUBLIC COMMENT – NONE

CORRESPONDENCE – NONE

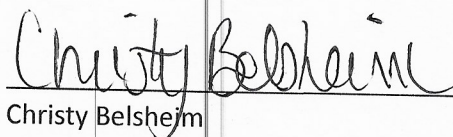
REMINDERS

- A. Planning Commission Meeting, Monday, September 18, 2023, at 7:00 pm
- B. Fire Committee Meeting, Pine City Township, September 20th, 2023, at 7:00 pm
- C. Regular Board Meeting, Thursday October 12th, 2023, at 7:00 pm

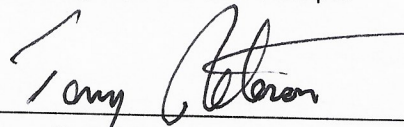
Chairman Terry Peterson stated Supervisor Dean Swenson has submitted his resignation letter, for moving out of the township and this is last meeting. Peterson thanked him for his 13 years of service and presented him a plaque.

ADJOURN

Supervisor Dean Swenson **motioned** Chairman Terry Peterson seconded to adjourn the September 14th, 2023 Regular Board meeting. All in favor motion carried. Meeting adjourned at 8:51 pm



Christy Belsheim
Administrative Clerk



Terry Peterson
Chairman