

November 8, 2011

Chair Harmsen called the regular monthly meeting to order at 7:00 p.m. with the Pledge of Allegiance.

Supervisor Akkerman made a motion to approve the variance requests presented for Kevin Kleinschmidt for improvements to his property. Supervisor Borgstrom seconded the motion and the remainder of the board concurred.

Reading of the minutes was waived by motion of Supervisor Card with a second by Supervisor Rosvold. The remainder of the board concurred.

Treasurer Meier reported a total working cash balance of \$167,017.17. The current CD balances are Union Cemetery Perpetual Care Fund \$7,681.37 and Ogema Point Cemetery Perpetual Care Fund \$12,256.92. The report was approved and filed for audit at a later date in a motion by Supervisor Card and seconded by Supervisor Akkerman. The remainder of the board concurred.

Road Report: Mike Lahr reported that the roads are in fair condition. Normal routine maintenance has been ongoing. The plowing equipment is ready for service. The restroom faucets have been replaced. The hot patch material has been received and stored. One load of sand and salt has been delivered. The tires have been installed on the trucks. The fire trucks have been serviced with oil changes and batteries. The permanent load limits have been installed on 350th and 70th. The patches on Ridge Road are complete.

The furnaces at the hall and shop have been checked. There are stored items blocking both the furnace and the power box in the mechanical room. The board reviewed the problem and determined new locations for the items to be stored. The mechanical room should not be used for storage.

Mike displayed the sharps signs obtained from Morrison County. The signs are 18" by 24". They will be placed in prominent locations at the refuse and recycling center.

Evergreen Equipment in Little Falls will do a trade-in on the tractor for \$8,000.00. The order needs to be placed now for delivery in August 2012. Supervisor Card, seconded by Supervisor Rosvold, made a motion to approve the order. The remainder of the board concurred.

Staff have been cutting trees on 40th, Atlantic, and at the cemeteries. The chipper has proved to be well worth the cost just in the reduction of man-hours.

Fire Report: Chief Zahler reported one mutual aid call during the month. Repairs on E2 are complete. E2 packing was replaced, two valves rebuilt, and the truck certified. R1 is in service. Dave Christianson is enrolled in Fire Fighter 1.

Chief Zahler reported to the board that the relief association voted to switch their retirement funds to the new state PERA plan. Supervisor Akkerman, seconded by Supervisor Card, made a motion to approve the resolution to permanently transfer the fire fighter funds to PERA for investment and administration. The remainder of the board concurred.

O.B.: There is no news on the Mastec issue. The next step will be to go to small claims court. There is a possibility that the town's legal fees can also be recovered in small claims court.

Chair Harmsen reported that the judge dismissed the Fish Trap Lake lot road vacation petition by the adjoining property owners. The restraining order has been lifted and the town may proceed with their plans. Chair Harmsen would like to have a survey of the lot done. Supervisor Rosvold would like a fence installed on the property lines. Chair Harmsen proposed cutting the brush in a ten-foot wide strip down the center of the lot. Chair Harmsen, seconded by Supervisor Card, made a motion to authorize a survey up to \$1,500.00. Any higher fee should be brought back to the board for review. The remainder of the board concurred.

Chair Harmsen has contacted MAT regarding the Lake Alexander LID position that the township is not a governmental unit exempt from the LID assessment. MAT attorney Kyle Hartnett responded, "as long as the property is used for a public purpose, the property is exempt from taxation under Minn. Stat. 272.02." This left the board still unclear as to the LID assessment. Chair Harmsen contacted Mr. Hartnett again for clarification. Mr. Hartnett responded with "I am not aware of any law that would exempt a township from an assessment or a service charge from a Lake Improvement District.

Betty Ness asked for information about the website. She would like the website address posted on the community board. Ms. Ness stated that the website says the minutes would be posted at the hall. However, upon review, the website states that minutes prior to 2011 can be obtained at the hall – not that they will be posted there. She would also like the township to purchase new banquet tables. The board suggested that new tables might be a good Lion's project as the town board only uses two of the conference tables with the remainder of the tables being used primarily by the Lion's and other civic groups.

Supervisor Akkerman asked about the proposal expressed earlier in the year that the person some of the supervisors had heard at one of the annual township trainings be asked to present at the township. The intention was to invite all of the local farmers to hear the presentation about farming and town roads. Supervisor Rosvold will follow up.

N.B Chair Harmsen raised the issue of hiring Ryan Kuklok as casual labor. There will be a need when Jerry Grossinger retires to have a third person trained to plow snow. The staff would like to hire Ryan now to expedite training. Supervisor Akkerman, seconded by Supervisor Rosvold, made a motion that Chair Harmsen and Supervisor Card interview Ryan for the purpose of hiring him as casual, part-time labor.

Supervisor Akkerman would like to the town hall to have a new sturdy front door. He asked that the staff check on prices for door replacement.

The board raised questions about the number of gopher feet bounty claims. They would like to have a form prepared that will designate where the trapping was done and that the property owner will sign off on before any claims can be paid.

Claims 11322 - 11364 totaling \$42,083.30 were read and approved for payment. Motion made by Supervisor Akkerman and seconded by Supervisor Card. The remainder of the board concurred.

Correspondence was read and dealt with.

With no further business to discuss, the meeting adjourned at 8:05 p.m. in a motion by Supervisor Card, seconded by Supervisor Akkerman. The remainder of the board concurred.

Bob Harmsen – Chair

Kathie Headley – Clerk

RESOLUTION FOR NEW LAW ON VOLUNTARY STATEWIDE LUMP-SUM
VOLUNTEER FIREFIGHTER RETIREMENT PLAN

SCANDIA VALLEY TOWNSHIP
MORRISON COUNTY, MINNESOTA

A RESOLUTION OPTING TO JOIN THE VOLUNTARY STATEWIDE LUMP-
SUM VOLUNTEER FIREFIGHTER RETIREMENT PLAN

WHEREAS, the Town of Scandia Valley Township, Morrison County, Minnesota is authorized to join the Voluntary Statewide Lump-Sum Volunteer Firefighter Retirement Plan administered by the Public Employees Retirement Association (PERA); and

WHEREAS, the Town and the Town's Fire Department Relief Association have jointly consented to and obtained a cost analysis for joining the Voluntary Statewide Lump-Sum Volunteer Firefighter Retirement Plan from PERA not less than 90 days ago; and

WHEREAS, the Town highly values the contributions of Town Fire Department members to the safety and well being of our community and wishes to safeguard their pension investments in a prudent manner.

NOW, THEREFORE, BE IT RESOLVED, by the town board of Scandia Valley Township, Morrison County, Minnesota.

Adopted this 8th day of November, 2011 by the following vote:

	Yes	No	Other
Board Chair <u>[Signature]</u>	X	_____	_____
Supervisor <u>Arnold Ekheymen</u>	X	_____	_____
Supervisor <u>[Signature]</u>	X	_____	_____
Supervisor <u>Mike Rosvald</u>	X	_____	_____
Supervisor <u>[Signature]</u>	X	_____	_____

Adopted this 8th day of November, 2011.

Attest: [Signature]
Town Clerk

Scandia Valley Town Board

[Signature]
Town Board Chair

Main Identity

From: "Kyle Hartnett"
To: "Bob & Rosie Harmsen" <harmsway@brainerd.net>
Sent: Wednesday, October 19, 2011 9:36 AM
Subject: RE: Lake Improvement District (LID)
I am not aware of any law that would exempt a township from an assessment or a service charge from a Lake Improvement District.

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: Bob & Rosie Harmsen
Sent: Tuesday, October 18, 2011 6:29 PM
To: Kyle Hartnett
Subject: Re: Lake Improvement District (LID)

Kyle,

Thank You for your fast response. Is the Lake Improvement District assessment for weed control considered a tax?

Bob Harmsen

----- Original Message -----
From: Kyle Hartnett
To: Bob & Rosie Harmsen
Sent: Tuesday, October 18, 2011 4:45 PM
Subject: RE: Lake Improvement District (LID)

Bob:

As long as the property is used for a public purpose, the property is exempt from taxation under Minn. Stat. 272.02.

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: Bob & Rosie Harmsen
Sent: Tuesday, October 18, 2011 8:08 AM
To: Kyle Hartnett
Subject: Lake Improvement District (LID)

Hello Kyle,

My name is Bob Harmsen, I am the chair for Scandia Valley Township. I ask you a question at are district meeting about LID's. The question was, "Can a township be levied by the LID for weed control or are we exempt like other forms of government.

Thank You,

Bob Harmsen
Chairperson
Scandia Valley Township
Phone: 218-575-3068

