

TOWN OF SILVER CREEK
REGULAR MEETING
DECEMBER 17, 2019

The Regular Meeting of the Town Board of the Town of Silver Creek was held on Tuesday, December 17, 2019 in the Board Meeting Room. Present were Supervisors: Greg Hull, Denny Moen and Chuck Voss; Clerk Alison Oftedahl; Deputy Treasurer Bobbi Salakka; and Town Operations and Facilities Manager Jody Reineccius.

Absent: Treasurer Jamie Pellman.

Chairman Hull called the meeting to order at 6:01 p.m. and led the Pledge of Allegiance.

CONSTITUENTS CONCERNS:

None.

ROAD & SAFETY:

Road Report – Town Operations and Facilities Manager Reineccius reported that a lot of time has been spent on snow removal. They have been using the loader to move snow and want to get the grader to smooth out some of the roads and set back the banks. He said that the lack of frost in the ground delayed the flooding of the ice rink, but they have a pretty good base on it and are hoping to have it fully ready by the end of this week. In the shop, the dump truck was serviced with no major issues uncovered.

Snow in Ceiling of Building – Reineccius found snow up in the ceiling rafters in the area between the old shop building and new office and meeting room addition. A photo was distributed to the Board showing quite a bit of snow inside the rafters and daylight could be seen when looking up at the roof. It appeared to be a construction flaw in the trim according to Reineccius. Vents from the old building may also be causing condensation issues in this area. The Board directed him to check with Morton Buildings on whether this would be covered by the warranty on the new building.

Alder Road Turnaround – The Clerk reported that the Recorder’s Office refused the document based upon missing legal elements, and additional internet research resulted in some questions. The draft was then sent to the attorney at Minnesota Association of Townships hoping for a free edit. However, after the MAT attorney stated that the Clerk had no business working on this document, it was sent to Attorney Scott Witty to be properly worded.

SEWER OPERATIONS:

Sewer Operator’s Report – Reineccius reported that he has been doing sampling at the ponds. Operator Hoops was not at the meeting, but his report had been submitted last week. Motion Hull, second Voss to accept the Wastewater Operator’s Report as presented below. Carried Unanimously.

Wastewater Operator’s Report – December 10, 2019

Influent

January	0.4744 million gallons
February	0.4947 million gallons
March	0.6833 million gallons
April	0.6961 million gallons
May	0.7797 million gallons
June	0.8209 million gallons
July	1.0762 million gallons
August	1.0828 million gallons
September	0.9373 million gallons
October	0.9750 million gallons
November	0.4924 million gallons

As stated before, flows are up and down across all months compared to last year. A lot of it has to do with the business happening at the commercial accounts.

In addition, the district received approximately 0.810 million gallons of trucked in wastewater during this same period. I don’t have actual gallons for the month of November as of the time I’m writing this.

Effluent

May – Discharged 3.000 million gallons of water
June – Discharged 3.059 million gallons of water.

July – Discharged 4.250 million gallons of water
August – Discharged 3.052 million gallons of water
September – Discharged 2.474 million gallons of water
October- Discharged 2.072 million gallons of water
Total discharged this year 18.907 million gallons

As was the case the last couple years, we have more water at the close of the season than I would like, but we'll deal with it in the spring.

Current Operations

We are in winter operation right now. No discharge, little water coming in. Unfortunately, the annual inspections were not done this fall. I'm not sure that can be corrected this winter with the snowfall that we are receiving. I would like to see an attempt made at that.

Early spring, I would like to pull pumps at Gooseberry Falls to put in stators and run in test tank. I think new stators might give us that little bit extra we need to prevent a callout.

We were getting low on pumps so ordered and received 2 new Extremes. As the 2000s age out and are replaced by Extremes we have less problems.

We have had a request/questions regarding disconnecting a station. I don't have all the details on that right now, possibly Alison can fill us in. I do believe we should take a look at what that fee is, to more closely reflect current wage rates. I think it should be a fee for the paperwork involved and time, materials, mileage for the actual work.

Another item for the board to review is the service district's growth plan. Has not been reviewed for many years.

Pending Maintenance Items

Continue straightening and repairing fencing at the ponds
Check air relief valves throughout the system
Cut out between pump chambers on duplex stations.
Replace flow control valves

Respectfully submitted,
Mike Hoops,
Wastewater Operator

Oliver and Vanderbeek Utility Easements – Both documents are in the processes of being executed. Hammes and Oliver have not yet sent back their signed copies. Vanderbeek and Mohr came in and signed their document, but it also requires signature from the mortgage holder as well as Clerk and Chair who must sign in front of Notary when schedules permit.

PFA Payoff – The Clerk confirmed that the Public Facilities Authority check cleared the bank account. After paying off the loan, the CDSSD Debt fund balance is \$(7,020.67). Another \$2,471.94 in levy and assessment funds has been received but is not yet reflected in CTAS. As a result, the end of year balance is estimated at \$(4,548.73). It is believed that one more taconite deposit will be received and for that reason, the Board will wait before transferring Sewer Enterprise funds to zero out the debt fund. The other two sewer funds have a positive balance.

SILVER BAY AIRPORT:

Hull reported that he had a few calls and visits from constituents and a couple of these had changed their opinion and attitude after the informational meeting. Hull also reported a letter of inquiry from a pilot who currently works for Cirrus and who would like to start a flight-seeing business based out of the Silver Bay Airport. Hull stated that this is the second business that is interested in having space there at the Airport. This individual said he might also be interested in helping out part-time with the Airport management. Hull said it was suggested that several part-time Airport managers is a better solution because of the need to have twenty-four seven coverage. The Board then discussed the need to hear from Silver Bay to get a clearer idea of their stance on possible transition. No actions were taken at this meeting.

STEWART RIVER:

Voss reported that he had located a copy of the minutes of Two Harbor's meeting on September 24, 2018 in which Brett Ballavance attended on behalf of Silver Creek to discuss possible partnership in which Stewart River wastewater could be pumped down to a new treatment plant that Two Harbors was planning. He has provided a copy to the Clerk for filing.

REVIEW MINUTES:

Motion by Hull, second Moen to accept as corrected the November 19 Regular Meeting minutes. Motion by Hull, second Voss to accept as presented the December 10 Committee of the Whole Meeting minutes. Both motions carried unanimously.

TREASURER'S REPORT:

The Treasurer's Report was presented by Deputy Treasurer Salakka as follows: TOSC checking: \$153,683.32 and TOSC savings: \$357,466.16 for a total of \$511,149.48. Outstanding Checks totaled \$612.47 for a CTAS balance: \$510,537.01. Motion by Voss, second Moen to accept the November Treasurer's Report as presented. Motion Moen, second Voss to authorize the requested transfer of \$46,000 from savings to checking. Both motions carried unanimously.

Fire Fund

After reviewing numbers, and the recent levy amount received, motion Moen, second Voss to authorize the Clerk and Treasurer to transfer in CTAS \$40,000 from the General Fund into the Fire Fund to erase the negative balance that accrued over several years. Carried unanimously.

READING OF THE BILLS:

The current month's bills were read: claims 8506-8532 totaling \$32,158.39, and payrolls through 12/20/2019. The group discussed a claim from the Auditors that seemed unreasonably high. Motion by Hull, second Moen, to authorize payment of all bills as presented with the exception of claim number 8529. Carried unanimously. The Clerk was directed to void claim number 8529 and its check, and then contact the vendor to dispute the bill.

CORRESPONDENCE:

The Board reviewed the following:

- Request for a letter of support from Minnesota Rural Water – Voss agreed to write one.
- Request for a letter in support of MnDNR's grant application for construction on Gitchi Gami trail – Oftedahl agreed to write this on behalf of the Board.
- Email from Brett Ballavance regarding aviation engineering consulting. Hull directed the Clerk to inform Ballavance that if the Airport sponsorship is approved, there will be a formal RFP phase in which he can submit a proposal.
- Affidavit of Posting was signed.

OLD BUSINESS:

MOU and Wage Theft Updates – Schedule conflicts have been preventing meetings with the On-Call Operator and the Sewer Operator. Oftedahl has a bit more work to collect signatures on all policies for all staff per the new Wage Theft law.

NEW BUSINESS:

Superior Shores Liquor License – Along with the liquor license application from North Shore Resort Company, the new owners of Superior Shores, the Board received email from Jodi Anderson at Lake County stating that there are two errors in the license application. Based upon not receiving a corrected version, the Board declined to act on the request and tabled the item until a corrected application is received. The Clerk was directed to respond to Lake County.

Election – Motion by Hull, second Voss to set the polling hours for the March 10 Township Election to open at 12 noon and close at 8:00 p.m. Carried unanimously. The filing period has been posted and is December 31, 2019 through January 14, 2020. Resolution 2019-9, designating the annual polling place for 2020 as the Board Meeting Room at 1924 Town Road, was approved upon motion Hull, second Voss and unanimous roll-call vote as follows: Hull – yea; Moen – yea; Voss – yea. Full text below. Signed copy retained in the Resolution Book.

RESOLUTION # 2019-9
TOWN OF SILVER CREEK
LAKE COUNTY MINNESOTA
Designating Annual Polling Place for 2020

WHEREAS, it is important that citizens exercise their right to vote at their local polling place;

WHEREAS, Minn. Stat. § 204B.16 requires the town board to designate its local polling place for elections annually;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Silver Creek, Lake County, Minnesota does hereby designate the Board Meeting Room at 1924 Town Road, Two Harbors, MN in Lake County as its polling place for all elections in 2020.

BE IT FINALLY RESOLVED that the township notify residents of this designation by following the requirements of Minn. Stat. § 205.16.

Adopted this 17th day of December 2019.

Greg Hull

Denny Moen

Chuck Voss

ATTEST: _____

Alison Oftedah, Clerk

Meeting Schedule 2020 – Motion Hull, second Voss to approve the 2020 Board Meeting schedule below.

TOWN of SILVER CREEK
2020 BOARD MEETING DATES

Held in the Board Meeting Room at 1924 Town Road, Two Harbors, MN 55616 on the date and time shown below.

January 14, 2020	Committee of the Whole (cow) 6:30 p.m.
January 21, 2020	Regular 6:30 p.m.
February 4, 2020	Budget and Levy Working Meeting 4:00 P.M.
February 11, 2020	COW 6:30 p.m.
February 18, 2020	Regular 6:30 p.m.
March 3, 2020	Presidential primary election 7:00 a.m. To 8:00 p.m.
March 4, 2020	COW 6:30 p.m.
March 10, 2020	Township Election noon – 8:00 p.m.
March 10, 2020	Annual Meeting 8:15 p.m.
March 17, 2020	Regular 6:30 p.m.
April 14, 2020	COW 6:30 p.m. and CDSSD Rate Hearing 6:35 p.m.
April 21, 2020	Regular 6:30 p.m.
May 5, 2020	tentative Road Tour 7:00 a.m.
May 5, 2020	tentative Board of Equalization 1:00 p.m.
May 12, 2020	COW 6:30 p.m.
May 19, 2020	Regular 6:30 p.m.

June 9, 2020	COW 6:30 p.m.
June 16, 2020	Regular 6:30 p.m.
July 14, 2020	COW 6:30 p.m.
July 21, 2020	Regular 6:30 p.m.
August 4, 2020	COW 6:30 p.m.
August 11, 2020	Primary Election 7:00 a.m. To 8:00 p.m.
August 18, 2020	Regular and reconvene Annual Meeting 6:30 p.m.
September 15, 2020	COW 6:30 p.m.
September 22, 2020	Regular 6:30 p.m.
October 6, 2020	COW 6:30 p.m.
October 13, 2020	Lake County COW
October 20, 2020	Regular 6:30 p.m.
November 3, 2020	General Election 7:00 a.m. To 8:00 p.m.
November 10, 2020	COW 6:30 p.m.
November 17, 2020	Regular 6:30 p.m.
December 8, 2020	COW 6:30 p.m.
December 15, 2020	Regular 6:30 p.m.

Old Town Hall Maintenance Contractor Estimates – Moen reported that there have been no more contractor responses.

Garage Doors for Pavilion – A motion by Moen, and second Voss, were withdrawn based upon questions that arose about the quality of materials involved with the very low bid from DoorCo. Moen stated that he would make some additional inquiries regarding the materials.

PENDING BUSINESS:

Transition of Land Use Administration to Lake County – Hull reported on Lake County’s Hearing held last night. Only two landowners in the affected area attended. The issues raised by these two were resolved, and the entire meeting was quick and friendly. Hull reported that he received some advice from Attorney Russ Conrow regarding the Gordon variance. The Township is holding a certificate of deposit at US Bank for future tear down of a nonconforming structure. Conrow advised that the contract will remain binding even after land use zoning has transitioned to the county. He said that Silver Creek should continue to hold the CD and should enforce the terms of the contract when the property changes hands.

There being no further business, a motion was made by Moen, second Voss, to adjourn the meeting at 7:22 p.m. Motion carried unanimously. The next regular meeting of the Board will be held on Tuesday January 21, 2020 at 6:30 p.m. in the Board Meeting Room.

Respectfully submitted,
Alison Oftedahl, Clerk