

**BOARD OF SUPERVISORS
REGULAR MONTHLY MEETING
BAY LAKE TOWN HALL
October 13, 2020 - 7:00pm**

Present: Don Hales, Jon Steblay, Carol Pundt, Justin Smith, Mindy Tix

Absent: None

Community members present: Kevin Miller, Patty Miller, Debra Flam, Carolyn Mogen, Ronald Mogen, Mindy Tix, John Enright, David Pundt, Curt Cich, Deb Cich, Monte Mraz, Greg Moore, Chris Ruttger

Don Hales called the meeting to order at 7:00 p.m. The Pledge of Allegiance was led by Justin Smith.

A motion was made by Jon Steblay and seconded by Justin Smith to approve the amended agenda moving the Chris Ruttger, Curt & Deb Cich and Revisiting Appointing an Interim Treasurer after the minutes of the previous Board meeting are read and approved. All voted in favor of the motion. Motion passed unanimously.

A motion was made by Justin Smith and seconded by Jon Steblay to approve the minutes of the regular monthly meeting of the Board of Supervisors held on September 8, 2020. Roll Call Vote: Jon Steblay-yes, Justin Smith-yes, Don Hales-abstained from voting.

A motion was made by Jon Steblay and seconded by Justin Smith to approve the Treasurers Report subject to audit. All voted in favor of the motion. Motion passed unanimously. The ending balance as of September 30, 2020 was \$297,435.27. All voted in favor of the motion. Motion passed unanimously.

A motion was made by Justin Smith and seconded by Jon Steblay to approve the claims as submitted (ck# 10524- 10529 ET-M-10-20, ET-C-10-20, ET-S-10-20 and ET-P-10-20) in the amount of \$4,966.16. All voted in favor of the motion. Motion passed unanimously.

Road Report: Don Hales provided the Board with an updated road expense report to include September and October. Don Hales will talk to Brad Holmwig Brad's recommendations for taking care of the pot holes on Esden Road.

Don told the Board he will be working on bid specifications for a 2021 road improvement project to include Scott Lake road, a portion of Partridge road and Maghan Lane.

Fall Road Inspection: A motion was made by Jon Steblay and seconded by Don Hales to approve the Fall Road Inspection report. All voted in favor of the motion. Motion passed unanimously.

Driveway Culvert Discussion: A motion was made by Justin Smith and seconded by Jon Steblay to adopt the Township's revised Culvert Policy. All voted in favor of the motion. Motion passed unanimously.

Dickey Lane-Curt Cich: Curt and Deb Cich told the Board Dickey Lane (which is a cartway not maintained by the Township) had a road bed which has deteriorated to the point Curt Cich was filling pot holes with 3 to 6 yards of concrete after most rainfalls. There are 8 people living along the roadway. Three of them either decided not to help with paying for the maintenance of the roadway, or gave a partial payment. The Cich's were at the Board meeting to ask the Board to get involved with apportionment of the maintenance expense of the roadway. No action was taken by the Board regarding the Cich's request.

Variance Requests: A motion was made by Jon Steblay and seconded by Justin Smith to recommend approval of the variance request for Aaron & Kirstin Kastner with a 50 ' setback from the OHW, removal of 15'ft of the ice ridge (maintaining the rest of the ice ridge at 1 ') and approval of 5' setback from the wetland on the property. All voted in favor of the motion. Motion passed unanimously.

Cemetery Report: Jon Steblay reported to the Board he will be removing memorials from the gravesites this week. The cemetery will be staked for the winter at the end of this month.

The columbarium discussion will be continued at the December Board meeting. There is nothing to report at this meeting.

Town Hall Update: Carol will get a quote from the "township handyman" to replace all the florescent lighting fixtures in the Town Hall ceiling for the November Board meeting.

Recycling: A motion was made by Jon Steblay and seconded by Justin Smith to return \$3,131.39 of unused Crow Wing County grant funds back to the County. All voted in favor of the motion. Motion passed unanimously.

Revisit Appointing a Interim Treasurer: Don Hales told the Board he was notified by several individuals attending the September Board meeting regarding the interview process and decision to appoint Mindy Tix as interim Treasurer.

Discussion ranged from feeling uncomfortable during the meeting, to being denied to speak on behalf of one of the applicants for the position. Don Hales informed the Board closing the meeting violated the Open Meeting Law Statute 13D.01, subd.3 because no statute was given for the reason of closing the meeting when it was published in the agenda or in the minutes. Also, the only time a meeting can be closed to the public is when there is attorney-client privilege (Minn. Stat.13D.05. subd. 3(b), when determining the asking price for real or personal property to be sold by the Town (Minn.Stat 13.44, subd.3, subd.3) or when a meeting must be closed if expressly required by law (Minn. Stat. 13D.05, subd 2), Minn. Stat 13D.05, subd.1. or when a Board will give a preliminary consideration to allegations or charges against an individual subject to the Board's authority (Minn. Stat 13D.05, subd.2(b). Board members apologized to those in attendance for not understanding and following the Open meeting Statutes. The Board had no intention to violate any Statutes. As a way to remedy the situation Justin Smith made a motion which was seconded by Jon Steblay to invalidate the Board's decision to appoint Mindy Tix and to hold a Special meeting to appoint an interim Treasurer. All voted in favor of the motion. Motion passed unanimously.

A motion was made by Justin Smith to set the date of October 27, 2020 at 7:00pm at the Bay Lake Town Hall to appoint a treasurer to fill the vacant position that was held by RaeJean Anderson. The appointment of the treasurer position will last through the March 2021 Annual Township election. At which time the Treasurer position will be on the election ballot.

Liquor License For 1898Management LLC: A motion was made by Justin Smith and seconded by Jon Steblay to approve 2 liquor licenses for a Combination On/Off Sale & Sunday and On Sale & Sunday for 1898 Management LLC.. All voted in favor of the motion. Motion passed unanimously.

Chris Ruttger: Chris Ruttger introduced Monte Mraz, one of the new owners of Ruttger's resort, and Greg Moore who is the to the Board.

Other Business to Come Before The Board/Public Comment: Nothing

All correspondence and e-mails received by the clerk were read.

A motion was made by Justin Smith to adjourn the meeting at 8:50pm. All voted in favor of the motion.

Supervisor_____

Supervisor_____

Supervisor_____

Clerk _____