

Minutes
EAGLES NEST TOWNSHIP
BOARD OF SUPERVISORS MEETING
September 20, 2022

Chair Floyd called the meeting to order at 5:00 p.m.
The Pledge of Allegiance was recited.

Sup Richard Floyd, Sup DeAnn Schatz, Sup Kurt Soderberg, Sup Frank Sherman, Sup David Chiabotti, Clerk Keely Drange, Treasurer Mary Beth Monte and Fire Chief Larry McCray were in attendance.

Unless otherwise stated, all motions carried unanimously.

Agenda, Minutes and Communications List Approval

Sup Schatz moved, seconded Soderberg to approve the agenda, September 20, 2022 Meeting. Motion carried

Sup Floyd moved, seconded by Sup Chiabotti to approve the minutes of the August 16, 2022 BOS meeting. Motion carried.

Cyndi Smyrka gave a brief presentation the Ely tourism tax collective for short term rentals.

Communications List: Sup Soderberg moved, seconded by Sup Chiabotti to approve the Communications List. Motion carried.

Citizens' Concerns:

Jeff Jaus stated that Migisi Road ATV ban is back as of this meeting.

Supervisors haven't seen any traffic on Migisi Road or the connector trail.

Randall L(zoom participant) has seen increased ATV traffic on the end of Dorem Drive. It is private property at the end of the road and is currently owned by 3 property owners. It is recommended that the private property owners install no trespassing signs. If properly posted the owners can call the St. Louis County Sheriff.

Sup Soderberg moved, seconded by Sup Chiabotti to continue with the suspension of Resolution 09-21-14 Banning OHVs on Migisi Road Right-of-way until further action by the board. Motion passes

Sheila and Dan Schimka have concerns about short term rentals and the grading of Bobence/Moose Creek Trail.

Reports

Clerk:

Please have large documents to me the Friday before the meeting.

Treasurers Report:

Payroll was in the amount of \$3,712.99 and check numbers 10622-10624, 10626-10635.
Claims were in the amount of \$23,397.72 claim numbers of 4473-4488 and check numbers of 10636-10638; 10640-10652.
Voided Check 10639

Sup Soderberg moved and seconded by Sup Chiabotti to accept the Treasurer's report. Motion carried.

Sup Floyd moved and seconded by Sup Soderberg to approve payroll and claims. Motion carried.

Monthly payment made monthly by electronic fund transfer for payroll deductions.

Sup Soderberg moved, seconded by Sup Schatz to make early payment, electronically on a monthly basis the by 15th for withholding. Roll call vote. Ayes are Sup Soderberg, Sup Floyd, Sup Chiabotti, Sup Sherman and Sup Schatz Sherman. No Nays. Motion passes.

Cathy Potterjoy questioned being limited to 20 hours (had worked 25 hours) but there isn't a limit. Will pay Cathy for the five additional hours in October.

Building and Grounds;

There are still some materials needed for lower hall roof. Sup Chiabotti will pick up materials next week and repairs will be done before winter.

There is an extra Fire Department road sign by the lower hall. Sup Floyd will contact county to put up new fire sign if not already in place.

Fire:

Report on file.

Sup Schatz moved, seconded by Sup Chiabotti to purchase 750' of 5" new hose the cost of up to \$7,500 and for the treasurer to pay for the hose from the fire department donations. Motion carried.

Township is applying for a Firewise grant that will help fund vegetation removal in a few road right of ways to improve access for emergency vehicles and may also fund a brush pick up for the whole township.

Two changes to the Tower Ambulance contract two-year contract for 2022 and 2023. In 2023 there will be a payment of twice the normal amount. This will be to order a new ambulance. In order to get the truck ordered enough funds need to be present to take delivery of a new truck. See documentation included.

Ambulance contract will be approved at next meeting so supervisors have a chance to read contract and information.

Straw vote (unanimous approval) of the board approval of contract and to approve a single payment in 2022 and a double payment in 2023.

City of Tower sent an invoice for this year's contract payment. Sup Soderberg moved, seconded by Sup Schatz to pay this year's ambulance contract payment of \$3390. Motion passes.

Chief McCray addresses the article in the Timberjay regarding the termination of Greenwood Fire Department members.

- 1) The EN Fire Department holds monthly meetings at which Sup Schatz and Sup Sherman are present as board representation.
- 2) Any supervisor can attend and they are not subject to the open meeting law provided they do not discuss township business.
- 3) Fire Department retirement is based on the activity and hours of each FD member. Members only get payment for the months they were active.
- 4) Training record of personnel is reported to the state of MN.

Larry McCray will no longer be the Fire Chief if he is elected to the board. Chief McCray is actively looking

for a replacement. The board may want to start recruitment measures like posting in newspapers and website. Chief will draft a position description and ad for position.

Sup Floyd moved, seconded by Soderberg to commission Chief McCray to come up with an advertisement to come post in Timberjay, Echo, Mesabi Daily News and Duluth News Tribune. Motion Passes.

Roads:

Spruce Street turn around has not been constructed. There is a pending lawsuit. Floyd attended an online hearing for the lawsuit. The judge has 30-90 days to come up with decision. Attorney advised to wait on construction of the turn around until a decision has been made.

Dorem Drive is hard to get consultant to give the township the specs needed to replace the culvert. Sup Floyd has ordered culverts and aprons for culverts based upon approved specifications for these supplies.

When Sup Floyd approves the specs from the consultant, the consultant will then put them out for quotes.

Dust abatement invoice has been paid.

End of county-maintained portion of Trygg road was given a 6" lift of class five but the aggregate was not impregnated with dust abatement material.

Underground water tank on Trygg road part of it on it is on private property. Easement may be needed over a portion private land owned by Louise Trygg.

Land, website and broadband:

Town hall internet access hardware will be installed on September 28th. Will not cost more monthly for parking lot hotspot. Will not cancel Frontier until we test.

Extensive committee recommendation on ATV Advisory signs. County has not completed any of the sign moving requests.

Bud Van Deusen will install ATV signs that were purchased from Mesabi Signs.

Emergency Preparedness and water:

At least 5 roads need ENCEP road ambassadors. Need some on Walsh Dorem, Deer Haven, Mud Creek, Bear Head State Park Road.

Put a need for road ambassadors on Facebook and website and lakes association newsletter. Sup Sherman will contact Tim Decker and will work with Sup Soderberg to get it on the website.

Watershed planning Eagles Nest Lake 2 is declining in water quality. Eagles Nest 3 has been impaired for fish consumption due to mercury. Eagles Nest Township overall is having issues with phosphorus. Future recommendations may be given. See website for links on water quality for each lake.

An aquatic invasive species grant is available and an application need to be in by next month. Grant covers assessing risks, providing public awareness, managing existing invasive species. Applicants need to express how this grant will help our township lakes.

Sup Sherman will look into the grant specifications.

Old Business:

Short-Term Rental:

The township is considering a 1-year moratorium on new short-term rentals and only those already or in the process of obtaining a short-term rental permit from St. Louis County would be allowed during the moratorium.

During the moratorium the board will looking into whether they want to pass an ordinance to regulate short term rentals within the township. The township ordinance can be more restrictive than the St. Louis County Ordinance 62 but it cannot be less restrictive.

Rental properties are inspected to ensure they are compliant with environmental regulations and meet property standards. Permit holders are also required to pay a state lodging tax.

Sup Sherman explained a draft moratorium for the consideration of the board. The township will ask for assistance from the county by not approving any new permits during the 1-year moratorium.

Sup Floyd will send letters to the tax addresses of owners of short-term rentals properties within the township to inform them that they are required to have a short-term rental permit from St. Louis County. The letter will inform the property owners that the township is considering a 1-year moratorium that will be discussed at the October Board of Supervisors Meeting. If the rental properties are not at least within the permit process before the October meeting they would be subject to the moratorium.

Parkland Committee Recommendations:

Set of 4 recommendations for the Park Land was put on the website for public comment. Public comments were mixed.

The four recommendations were:

- 1) Delay recommendations for more public comments.
- 2) Do nothing.
- 3) Vacate all Park Land.
- 4) Commit to some or all of the Park Land Committee recommendations.

In order to accept Park Land parcels at least 2/3 of the board (4 board members out of 5) need to vote in favor of acceptance, according to Sup Sherman.

Sup Soderberg moved, seconded by Sup Sherman to move forward with the recommendation to accept Outlot 5 in front of the Kromer's and Outlot 7 in front of the Turner-Ryan property and work with our attorney for a final resolution for acceptance in October of 2022. Aye Sup Floyd, Sup Soderberg, Sup Sherman, Sup Chiabotti. Nay Sup Schatz. Motion carries.

Northwoods Partners Donation:

Sup Floyd moved, Seconded by Sup Soderberg to donate \$550 to Northwoods partners. Motion carries.

Ambulance Replacement fund: In addition to a double payment for the ambulance replacement fund that was tentatively authorized earlier by straw vote, there is an additional committee of townships that has discussed the future of the ambulance service in our area. The committee has discussed creating a joint powers board and what that would mean from a financial and structural standpoint. Sup Sherman will continue the committee's monthly meetings. Greenwood is not part of this committee and is conducting their own study into what should happen with the ambulance service.

Townhall internet access: Topic covered earlier in Sup Soderberg's report.

Watershed planning: Topic covered earlier in Sup Sherman's report.

Records Retention:

Records that are approved for destruction through the township records retention are ready to be destroyed. Things that may not be destroyed like minutes and audit records will be kept.

Sup Floyd moved, seconded by Sup Schatz to contact a shredding company to shred approved for destruction.

New Business:

Easement for Trygg Water Tank- Topic discussed in Sup Floyd's report.

Supervisor Concerns:

Sup Floyd and Soderberg will have a person from FEMA help walk them through the process of applying for FEMA aid money to help with damage from the storms. Sup Floyd mentioned that it looks promising that the township will receive aid for purchasing of culverts and Dorem road repairs from the storm.

Adjournment:

Sup Soderberg moved, seconded by Sup Floyd to adjourn. Motion carried.
The meeting adjourned at 7:48PM.

Respectfully submitted,

Keely Drange, Clerk