

**MINUTES**  
**EAGLES NEST TOWNSHIP**  
**BOARD OF SUPERVISORS MEETING**  
**December 21, 2021**

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 Fire Chief Larry McCray, Treasurer Mary Beth Monte, Deputy Treasurer/Clerk Gwen Potter and Clerk Keely Drange were in attendance.

Unless otherwise stated, all motions carried unanimously.

**Agenda, Minutes and Communications List Approval**

Sup Schatz moved, seconded by Sup Chiabotti to approve the agenda, as amended (removal of duplicate maintenance personnel in old business), for the December 21, 2021 Meeting. Motion carried.

Sup Soderberg moved, seconded by Sup Schatz to approve the minutes of the November 16, 2021 BOS meeting. Motion carried. Sup Sherman abstains as he was absent at the November 16<sup>th</sup> 2021 meeting.

Sup Schatz moved, seconded by Sup Floyd to approve the Communications List, as amended (addition of communications from Andy Urban and two emails from Lee Peterson). Motion carried.

**Citizens' Concerns:**

none

**Reports**

**Clerk:**2022-23 MATIT insurance policy for the fire trucks is now available for review. Clerk will ask for approval at January Board of Supervisors meeting. Policy will need to be approved (or amended) and paid before the bill is due in March of 2022.

Rich Floyd referred to a letter from the 2021 Weed Inspector in the communications. The weed inspector did not know how to answer some of the questions on the inspection form. Sup Floyd had answers for those questions. Sup Soderberg said he follow would up with Sup Floyd when he had a chance to review the correspondence from the weed inspector.

**Treasurers Report:**

A monthly report was made by Deputy Treasurer Gwen Potter who presented and explained the following:

Claims and Payroll were reviewed.

Claims of \$7,071.64. Claim Numbers 4340-4350 and Check numbers of 10388-10398

Payroll of \$14,787.17 (which included firefighters annual pay), Check numbers of 10361-10387

Monthly Deposits for November are from St. Louis County (American Rescue Plan) for \$422.76 and

Monthly back interest of \$30.93

Sup Soderberg moved to approve the Payroll and Claims, seconded by Sup Schatz. Motion carried.

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

**Building and Grounds;**

Sup Sherman is still looking for a maintenance person. He found an interested person but he will be gone in the springtime and may not have equipment for mowing.

To pay a maintenance person as a contractor they must carry \$1.5 million liability insurance. If paid as an employee at a rate of \$16.00 per hour, the township must compensate for equipment usage through an equipment rental price or at an hourly rate that includes rental fee in it.

Electrical work was recently completed in fire hall.

Propane has been filled.

Jeff Schulze is plowing town hall and in addition is shoveling until a maintenance person is hired.

Sup Sherman asked to have authorization to offer up to \$60 an hour as contractor (or Employee). This hourly rate would include labor and equipment rental fees. He would like to offer the maintenance person the choice between a contractor or as an employee. Sup Floyd moves and Sup Soderberg seconds to offer a maintenance person up to \$60 an hour as contractor (or Employee). This includes labor and rental fees. Motion carried.

**Fire:** Fire report available on file.

\$5,000 donation from Larry and Evelyn Anderson was made to the fire department. Sup Floyd moved and Sup Soderberg seconded to accept the \$5,000 for donation to the fire department. Motion Carried.

**Roads:**

It appears that the county is plowing later than in other years. County roads are plowed first and township roads are next to be plowed. County black top roads seem to be plowed before the County gravel roads.

Sup Floyd will ask the county to sand more thoroughly on the Walsh Road at Flesvig's corner.

It may be possible to put a guard rail at the steep section of Minnesota Boulevard. The county does not like guard rails as it makes the roads narrower to plow. However, this section is plowed by a contractor so it may not be an issue. Since some of the road bed will need to be used for the guard rails it will make the road narrower. It will make the two-way section of the road more dangerous as people will drive even closer to the center line as they will not have as wide of a road surface. Supervisor Floyd will give a guard rail more consideration.

**Land, water and website:**

Parkland committee has met and reviewed all the comments. There were two items in the communications file, one from the McCubbin attorney and one with the Turner-Ryan family. The committee will give Sean Turner more time to consult with his attorney.

The committee has reviewed all information with the MAT attorney Steve Fenske and had a zoom call with Bob Ruppe the township attorney. The committee is preparing a draft recommendation and will review with the board. Committee will continue to meet and figure out when to present to the board.

Sup Soderberg has established contact with Bob Meier, who is assistant commissioner for legislative matters with the DNR. Mr. Meier that the DNR is very concerned with ATV use within state parks. Mr. Meier will update the township if anything comes up regarding ATV usage within state parks in the next legislative session (he doubts that anything will come up).

Updated township website about to go live and has a new format that will be compatible to view on phones and tablets. Sup Soderberg has not heard back from the Eagles Nest Lakes Association (ENTLA) or Eagles Nest Seniors regarding updating their content. Sup Schatz will continue to reach out to ENTLA and Seniors to obtain updated information for the website.

Sup Floyd commented on the letter from the McCubbin Attorney and that its language was complicated. Sup Floyd asked Sup Soderberg if the letter was reviewed by the attorneys to understand it. Sup Soderberg stated that the content of letter had been reviewed in part by Steve Fenske and also by Bob Ruppe to ensure that all of its contents are fully understood.

### **Emergency Preparedness:**

Nothing at this time beyond what the chief reported.

### **Old Business:**

Sup Soderberg moved and Sup Floyd Seconded in favor of resolution draft number one which is for mail in voting or polling locations of Virginia Government Services Center or in Duluth at the St. Louis County Courthouse for the next election.

### **Discussion:**

Sup Soderberg reasons to support mail in voting:

- The US is entering a new phase of the pandemic. The township does not know what will happen with the pandemic in November of 2022.
- At the 2019 annual meeting (which was moderated by Sup Soderberg) a motion was made and passed by township members who were present to support mail in voting.
- Budgetary savings can be made. Even though the township has budgeted for in person voting that does not mean the money has to be spent. The township can save money on things like training and election judge wages.
- Mail in voting had the highest number voter total in recent records.
- We can always go back to in person voting.

Sup Floyd reasons to support mail in voting:

- Sup Floyd heard others were in favor of in person voting for the chance to talk to others. Socializing is not legal to do at polling places so that is not a legitimate reason to support in person voting.
- Sup Floyd is in favor of the system that gets the most people voting. The statistics show that mail in voting had the most voters. However, there has only been one election with mail in voting so that is not enough data to show that mail in voting will increase voter turnout. Although it does show that mail in voting did not discourage people to vote.

Sup Schatz reasons to support mail in voting:

- Sup Schatz personal opinion is to come and vote in person. However, the majority of emails and phone calls that Sup Schatz had received were in favor of mail in voting. Sup Schatz was elected to represent her constituents and she will support them by voting in favor of mail in voting.

Sup Chiabotti reasons to support mail in voting:

- For the reasons that Sup Soderberg stated for next year's election it does not make any sense to commit to in person voting. For those reasons Sup Chiabotti is in favor of mail in voting for next year's election.

Rob Mattson, Rick Simmons, Chris and Larry McCray- expressed their opposition to mail in voting and gave reasons in support of in person voting.

Deb Siverhus gave her opposition to in person voting and gave her reasons in support of mail in voting.

Sup Sherman reasons to support mail in voting:

- There are least 11 townships in St. Louis County that are mail in only as well. This can be found on the St. Louis County website.
- Under MN law the only people who get sent a ballot are registered voters. It is nearly impossible to have more ballots than registered voters.
- According to data sent by St. Louis County the Eagles Nest population is 226 people. Of those 205 are registered voters. In the 2020 general election 192 people voted, all of them mail in. In the 2018 general election (in person) 175 people voted and in 2016 general election (in person) 182 people. We can tell, from these voting totals, that mail in voting does not dissuade people from participating in our democracy.
- There is a balancing that has to go on of inconveniences. The people that object to mail in voting do have the option to go to Virginia or Duluth for in person voting, which is clearly an inconvenience.
- However, knowing the demographics of the township, the possibility of very bad weather, the health issues of many of our residents have and the process to obtain an absentee ballot are a large number of inconveniences as well.
- If we are going to have COVID protocols in place at election time would that then have voters waiting in the parking lot in cold temperatures for a long time in order to vote.
- If 192 people out 205 registered voters were able to successfully vote by mail, then the balancing of inconveniences does not come down on the side of in person voting.
- The same risk of voter integrity is involved with absentee as it is with mail in voting.
- There are people that believe there were voting integrity problems in the last election. Sup Sherman explained that there were 62 lawsuits brought across this country about voter fraud in the last election and every single one of those was thrown out, including by judges that were appointed by former president Trump. Sup Sherman went on to explain that at least 5 of the lawyers involved in these lawsuits including his former boss, were disciplined or suspended from the bar for the allegations of voter fraud that they made. If there was evidence of a problem that voting in person would solve, Sup Sherman would be all for voting in person. Sup Sherman stated that he did not see evidence of an integrity problem that voting in the township versus in Virginia would solve. Sup Sherman does not see what we are "giving away" as a township by mail in voting. If residents cannot trust mail in voting they are still able to vote in person in Virginia.

On the original motion the board voted unanimously in favor of resolution draft number one which is for mail in voting or polling locations of Virginia Government Services Center or in Duluth at the St. Louis County Courthouse for the next election.

**Other Old Business:**

There are a few options to control the heat; to control by temp app on Sup Sherman and Chiabotti's phones, allowing groups to adjust the temp manually or by figuring out if the furnace is programmable for certain times of the day. Control of building heat will be further discussed between Sup Sherman and Sup Chiabotti and will be discussed at the next meeting.

Sup Soderberg moved to approve MATIT workers comp insurance. Clerk explained that at the last meeting the board voted to approve payment of the insurance in the event the coverage amounts had not changed. The clerk explained any changes needed to be made by the board and since none had been made with last year's policy, payment to MATIT was authorized. Sup Soderberg withdrew his motion.

Sup Floyd spoke to Ron Potter regarding the ATV trail. Ron has done some trail reconnaissance, and he will have a PDF map at the next meeting. There is some private property that he was not able to go on. Sup Floyd is unsure of how they would work that out. Ron will bring us more information at the next meeting for the northern route.

The clerk has not heard of any interest for a volunteer to be on the Joint Powers Recreation Board. Sup Floyd feels that it is for a good cause to support kid's activities and that the Township should pay its dues even without representation. Sup Floyd moved and Sup Schatz seconded to pay two years of dues (which includes past dues) for Joint Powers Recreation Board. Motion Carried.

**New Business:**

None at this time

**Supervisor Concerns:**

Sup Soderberg asked the board if there would ever be a scenario that we would return to call in/zoom meetings given a worsening pandemic.

Sup Sherman asked what prevents the township from allowing citizens viewing a meeting without being physically present such as zoom or other online formats.

Clerk Drange will look into what the township is legally allowed to do technologically speaking.

The first budget workshop will be scheduled for January 22, 2022 at 10 am.

**Adjournment:**

Sup Floyd moved, seconded by Sup Sherman to adjourn. Motion carried.  
The meeting adjourned at 6:52 PM.

Respectfully submitted,

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**Keely Drange, Clerk**