

Board of Audit
Moe Township
February 2, 2012 (audio recording available)

The annual Board of Audit was called to order at 7:00 pm with all members of the Board in attendance. The POA was given. At this time, all the claims, bank statements and books of the Treasurer and Clerk were examined by the three Supervisors. After a few questions were answered by the Treasurer and Clerk, a motion was made to accept the 2012 Board of Audit. (m- Johnson, s- Bushard, v- unan.) A motion was made to adjourn. (m- Bushard, s- Johnson, v- unan.)

Regular monthly meeting.

The regular monthly meeting was then called to order. The Agenda was presented and approved by motion. (m- Johnson, s- Bushard, v- unan.)

The minutes were approved as sent out to all Board members by email. (m- Bushard, s- Johnson, v- unan.)

The Treasurer then gave her report. A motion was made to accept the report as given. (m- Johnson, s- Bushard, v- unan.)

The monthly claims were read by the Clerk. A motion was made to pay the bills as read. (m- Bushard, s- Johnson, v- unan.)

OLD BUSINESS

Encroachment of ROW on Mill Lake Shores by Neubauer

Johnson brought the Board up to date on the matter of Neubauer building a soccer field which encroaches the township road as per a recent survey by Eldevick Surveying. Please note that Dave Rush, Director of Douglas County Land & Resource and Jerry Johnson, Commission of District 1 of Douglas County was present. Absent was Mr. Neubauer who assured Rod Johnson he would be present to discuss this problem. Mr. Rush spoke that the County had issued a permit to permit the moving of 1000 yds of dirt. L & R sent a Technician out in July of 2011 and they determined Newbauer had moved considerable more dirt then estimated. At that time, it was realized that since Neubauer was within the shoreline management area, he needed to come into the office and apply for a shoreline alteration permit. Neubauer came in on July 10. He refused to supply a drawing so Rush supplied a rough draft of what he understood the project involved. A timeline was established with soil erosion and seeding procedures and this was to be completed by the end of September. A permit was signed by Newbauer which certified to the County that all information filled in on the permit was true and correct. Rush visited the site later on September 15th. At that time he outlined a number of items that were not in compliance. On a return trip in October, a number of those items had been completed. At no time did the County allow or encourage Neubauer to deposit any material over his property lines. Not knowing where the road ROW exists and believing Neubauer because he had signed the permit attesting to the fact that everything was in compliance, the County assumed everything was complete and correct. After learning from the Township where the actual ROW lies from a certified survey, Rush now maintains that Neubauer is in violation of the permit. The recommendation to the township is that we contact Mr. Neubauer and pursue the fact that he has been notified

by certified letter that he is violation of a State statute whereby the material he moved is in the ROW and that we stand by our demands of removing said material by July of 2012. Dave Rush also suggests they we need to work cooperatively with the County to resolve this issue with Mr. Neubauer. Dave Rush agreed to discuss this matter with the County Attorney and Strandskov suggests that Rush send a letter to Neubauer explaining the fact that when July 2012 comes and goes and the work is not complete, appropriate measures will be taken. Again, Rush cautioned the township to only address the material in the ROW as the County will address the other issues. Johnson agreed to contact Neubauer concerning the discussions of this meeting. On another subject, Strandskov asks the County to give us a "heads up" when there is a questionable setback for a sewer system being considered. Rush assured the Board he would gladly do that.

Elk Lake high water & East Moe Road quotes

Bushard reported he had met with two more contractors concerning raising of East Moe Road. They were Ferguson's and Mark Lee Tiling. Paul Strom estimates \$80,000.00. Strandskov reported that the DNR is looking for projects whereby they would fund 50% of projects which involving flooding issues. Jerry Johnson suggests contacting Ottertail County for recent flood control issues. Much discussion followed. There were disagreements over where the water should flow, either by tiling or natural flowage though wetlands. Strandskov is concerned that what would be the cheapest route to take for the Township just moves the problem farther downstream. However, all agreed that whatever measures are taken, the Township should have the ultimate control over the level. Jerry Johnson commented that Urness Twp had dropped Red Rock Lake approximately 22 inches and it only took a permit from the DNR. He claims the DNR is easier to work with today. Rod Johnson reported he had received three quotes on tiling. They ranged from \$16K to \$26K. There were questions as to whether or not these quotes were complete.

Road Report

Bushard reported that Ronnie had graded roads as late as this January. This is very unusual for Moe Township in mid-winter of Minnesota. He graded just before the roads froze.

NEW BUSINESS

Resolution 2012-1

The Clerk handed out copies of resolution which was requested by Senator Bill Ingebretsen. Discussion followed. Johnson asked if we are locked into only rebuilding East Moe Road. The consensus of the Board is to explain it is our option to either rebuild road or take other measures to correct the problem. Basically, we reserve the right to do whatever it takes to open East Moe Road. A motion was made to adopt this resolution. (m- Johnson, s- Bushard, v- unan.)

Steve Wendland representing the Garfield FD

Steve is the new Chief of the Garfield FD. He went on to explain and give the Board a "heads up" that the Garfield FD have given up their charitable gambling because of governmental mandates which make pull-tab's unfeasible as they see it. This will impact our fire levy greatly. It could result in a 14.5% increase over last year. Keith Ramsay helped explain the situation. Much discussion followed. At time, the discussion became intense as the Supervisors were told at one of the short courses that the Board shouldn't

listen to the FD as they have plenty of opportunities to receive funding. All agreed that all the FD's are doing a great job and we will have to wait and see what the voters approve at the annual meeting. To summarize, Steve is also going to the other members who contribute and see how they are "sitting financially" and isn't telling Moe that they have to give the 14.5% but wants the Board to know that there is a loss of revenue to the Dept. on the horizon. There will be a representative at the annual meeting.

March election update

The Clerk reported that he is still short one Judge but everything is ready for Township Day.

ANNOUNCEMENTS & CORRESPONDENCE

The monthly correspondence was read.

Upcoming budget meeting

The Clerk reminded the Board that the posting will be up for the budget meeting at the office of the Clerk on Tuesday, Feb. 21, 2012 at 8:00 am.

Date, time and place of March meeting

March 5, 2012 at 7:00 pm at the Township Hall will be the budget meeting. Pat reported that the County wants to see a special fund for the debt service on the grader. More information will be collected on this.

A motion was made to adjourn. (m- Johnson, s- Bushard, v- unan.)

Respectfully submitted by,

Wayne E. Becker, Clerk

Chairperson