



Fish Lake Township

2170 Brunswick Road
Harris, MN 55032
(651) 674-7709
www.fishlaketownship.com

Town Board Meeting Minutes August 10, 2020

Board Members Present: Chair Bruce Fitzwater, Vice-Chair Corey Johnson, Supervisor Diane Larkin, Treasurer Sharon McAndrew, Clerk Andrea Nekowitsch

Board Members Absent: None

Others Present: Gary Guse, Road Maintenance,

Call to Order and Approval of the Agenda: Chairman Fitzwater called the Regular Monthly Fish Lake Town Board meeting to order at 6:00 pm in the Town Hall at 2170 Brunswick Road, Harris, MN. The pledge of allegiance was recited by all. Motion made by Larkin and seconded by Johnson to approve the agenda as presented. All ayes; motion passed.

Road Report: Gary Guse presented the road report. In the month of July, 2020 most of the time was spent on maintenance of roads and equipment, grading and mowing ditches.

The new 2020 Ford F-450 was picked up on July 30, 2020, was lettered with "Fish Lake Township" soon there after and is now in operation.

Motion made by Larkin and seconded by Johnson to replace tires on John Deer Tractor to accommodate a new Diamond Ditch mower for \$4765.00

Motion made by Fitzwater to accept Resolution 2020-07 for the purchase of a Diamond Ditch Mower.

Treasurers Report: The Board reviewed the treasurer's report.

Bank Balances as of: 7/31/2020

Savings (1st Bank)	Closed	Broadband Debt. Service	\$68,929.65	Checking	\$3,394.02
Savings (Camb. State)	\$491,695.75	Anchor Ave. Debt Service	\$38,841.15		

Motion made by Larkin and seconded by Johnson to accept the Treasurer's Report, approve payment of check #13469 to #13493, for the amount of \$93,492.27, authorize up to \$4000.00 in operating disbursements for the upcoming month, approve the claims list as presented and transfer \$66,000 from Savings to Checking and the transfer of \$16,486.25 from Broadband Debt Service to Checking fund. All ayes; motion passed

Minutes: Motion made by Larkin and seconded by Johnson to approve the minutes of the previous month's meeting. All ayes; motion passed.

Appointments:

Garrett Schuller, 440th, discuss installing turn-around at 440th and Ash. The Schuller's requested that a turn around installed at 440th/Ash Ave. to deter busses, garbage trucks, and general traffic from turning around in their driveway. Clerk is to send letter to property owner of 03.0028020 and 03.00298.20 notifying the property owners that a turn-around needs to be established at the intersection of 440th and Ash.

Clerk Report:

Fitzwater moved to approve 2020-06 CARES Act, Diane 2nd.

CARES Act Funding: At last month's meeting Clerk Nekowitsch reported that on June 25, 2020 Governor Walz announced a plan to distribute \$853 million in federal funding to Minnesota communities impacted by the COVID-19 pandemic. The funding was authorized by the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act. Local governments can use the funding to support services and grants to businesses, hospitals, and individuals impacted by the pandemic. The funding will be based on a per capita formula developed by lawmakers during the special session last week. Fish Lake Township has a population less than 4,999 and would be eligible to \$25 per person, for a total amount of \$51,400, based on the 2018 census. Before receiving the funding, local governments will have to certify how they intend to use the money, as the CARES Act requires payments only to be used to cover necessary costs related to the pandemic that weren't account for in budgets. Although, Fish Lake Township has incurred minimal expense at this time related to the pandemic, preparing the polling place and town hall with automatic amenities to reduce the number of frequently touched objects along with other allowable costs under the grant. The Board decided that it would be a good idea to request the funding and make necessary improvements under the grant guidelines.

Board Member Reports:

None.

Old Business:

482nd/Blue Heron Trail: The following response was received from Brandon Mell at Nessel Township on 7/14/2020: *"We understand that the last time Fish Lake approached the DNR about this grant their response was that the road was in too good of shape to qualify for the grant. Do you have reason to believe that their criteria has changed? Unless there is reason to believe that there standards for this grant have changed, we don't think that a feasibility study is worth the cost at this time. Also, were you ever able to get an estimate out of the county on when they plan to do an overlay on county road 8?"* On 7/15/2020 Clerk Nekowitsch replied: *"Brandon, Our engineer from Bolton and Menk believes that the road is a good candidate for the grant. Chisago County does not have anything on the books for County 8 in the near future."* There has been no additional response from Nessel Township. At the recommendation of the engineering firm Bolton and Menk, that 482nd/Blue Heron Trail is a good candidate for the SPRA grant, Fish Lake Township will proceed with the grant application as it is in the best interest of the residents to apply for this grant even though Nessel Township declined to participate.

New Business:

Email from Attorney Re: Report from Resident: *"Chair Fitzwater received the following email on July 27, 2020: "Hi Bruce, I wanted to pass along to you that a town resident or someone in the community expressed concern about two issue related to the town's maintenance employee. I do not know the truth of any of these allegations, but I wanted you and your board to be aware of them.*

The first was that the employee was reportedly using a town truck for personal purposes. The report was that the employee was in a town truck on a weekend with someone not employed by the township at a location the truck would not have any town business. While some incidental use of an employer provided vehicle is acceptable, the nonincidental use of an employer vehicle by an employee is supposed to be treated as taxable income or benefit to the employee. By incidental, I mean uses that are somehow related in time or place to the employee's use of the vehicle for the employment purpose. For example, the employees use of the vehicle to get food during the work day, or to run an errand on the way or near to the course of work would be acceptable. They are still related in time or place to the employment. The board should have a policy that limits an employee's personal use of an employer vehicle, unless the town wants to treat the vehicle as a taxable benefit to the employee.

Second, the person reported seeing the employee consume alcohol during the lunch hour and then drive the town vehicle. Obviously, this is a concerning allegation because of the public safety risk it poses and the liability risks to the township. I suspect your town may already have an employment policy that prohibits consumption

of alcohol while operating town vehicles or being at all intoxicated during work hours. If not, its important to adopt such a policy and inform employees of it. The board or a supervisor may ask the employee about the allegations. The board has a variety of options depending on whether they already have a policy, whether the employee says he has consumed alcohol while at lunch during work days, and the board's desire to keep the employee. Again I am not aware of the truth of any of the allegations, but they are serious and should be addressed. Sincerely, Steve M. Fenske General Counsel"

Chair Fitzwater informed the maintenance employee about the allegations and the employee denied both allegations.

It is unknown by Fish Lake Township if the concerned citizen shared the alleged date(s), time(s) and/or place(s) they witnessed the maintenance employee in the town truck on a weekend with someone not employed by the township at a location the truck would not have any town business. Taking into consideration the date of the email from the attorney, it was concluded that the concerned citizen may have witnessed the town truck at a number of places over the weekend because it had been sold to a private party on Friday, July 24, 2020. However, it remains unclear how the citizen could have witnessed a Fish Lake Township employee using the truck on a weekend when it belonged to someone other than the Township. In addition, the Township Board reviewed the alarm records for the full month of July and found that the alarm at the shop where the truck was parked had remained constantly armed throughout each weekend.

In response to the second allegation of a Township employee consuming alcohol during the lunch hour and then drive the town vehicle, plus the fact that there have been no other reports as such by any means, and since the alleged date(s), time(s) and/or place(s) were not disclosed, the Board can only deduce that this was the same time and place as above when the Township no longer owned the truck and had no control where and when the truck was driven or by whom. It remains unclear how the concerned citizen witnessed the Township employee using the truck for personal purposes on a weekend and drinking and driving when he no longer had access to the vehicle. The Township Board takes these allegations very seriously but finds these claims to be baseless and unfounded as well as slanderous.

Citizen Comment:

Cindy Carlson is concerned about a building located very close to Blackhawk Road. When traveling north on Blackhawk Road the building blocks exiting vehicles from a private driveway.

Motion made by Larkin and seconded by Fitzwater to adjourn at 8:35 p.m. All ayes; motion passed.

Bruce Fitzwater, Chair

Date

Andrea Nekowitsch, Clerk

Date



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Town Board Meeting Minutes August 24, 2020

Board Members Present: Chair Bruce Fitzwater, Vice-Chair Corey Johnson, Supervisor Diane Larkin, Clerk Andrea Nekowitsch

Call to Order and Approval of the Agenda: Chairman Fitzwater called this special meeting to order at 12:00 pm to discuss the CARES Act grant funding in the Town Hall at 2170 Brunswick Road, Harris, MN.

The purpose of this meeting is to discuss how to appropriately spend the CARES Act grant funding that was allocated to Fish Lake Township of \$51,400. The town board determined that the best use of these funds as they are intended is to install touch-free toilets, sinks, paper towel dispensers, soap dispenser, sanitizing stations, auto light switches, etc.

The funding also allows for reduction of paper and encourages computer and remote access to meeting and documents. The Town Board Members will receive a computer to reduce the need of paper and in-person meetings.

The funding also allows for increased election equipment to encourage social distancing and barriers between voters, eight additional voting stations will be added.

To accommodate extra equipment to combat COVID-19 and encourage social distancing, there will be additional storage space allocated for voting equipment and other town supplies.

The Township also hopes to upgrade the ventilation system to included air exchangers and ion filters for heat and air conditioning. This may not be possible due to the cost of the upgrade and the amount of the awarded grant.

Motion made by Fitzwater and seconded by Johnson to adjourn at 1:30 p.m. All ayes; motion passed.

Bruce Fitzwater, Chair

Date

Andrea Nekowitsch, Clerk

Date