

**MINUTES  
SPECIAL TOWN BOARD MEETING  
MARCH 25, 2020**

The meeting was called to order at 8:00 a.m.

Present: Commissioners: Prudhon, Ruzek, McCune; Assistant Treasurer: Christopherson; Attorney: Lemmons; Public Works Director: Reed; Town Finance Officer: Kelly

The meeting was held at the Town Office Conference Room, present there were the Town Finance Officer, Town Attorney, Town Clerk, Town Board Chair and the Public Works Director (via phone conference in office), as the team of emergency managers for the Town of White Bear. Supervisors McCune and Ruzek were present via telephone conference. The motions, seconds, and votes were stated by roll call as directed.

**APPROVAL OF AGENDA (Additions/Deletions):** Ruzek moved to approve the agenda as submitted. McCune seconded. Ayes all.

**APPROVAL OF PAYMENT OF BILLS:** Ruzek moved to approve payment of bills, conditioned upon Ruzek seeing, approving, and signing the bills in person later today. McCune seconded. Ayes all.

**EMERGENCY MANAGEMENT TEAM REPORT:** the Town Clerk reported that a packet was received from Ramsey County of how they are addressing the coronavirus. There was going to be a meeting with the Emergency Management Team from Ramsey County, but it was postponed in lieu of the Governor's address. It will be rescheduled for Monday the 30<sup>th</sup>. There isn't a whole lot more to report. There was a question of the Township staff's supply off personal protective equipment. Staff assured the Board that there is a minimal supply for staff, unfortunately not enough to donate to medical professionals who are on the front line.

**CONTRACT GROUP – UPDATE:** The Town Clerk reported that he went to the sheriff's contract group meeting on Thursday the 19<sup>th</sup>. Every municipality in the contract group is closed. Hugo is limiting walk up traffic; still open with limited staff. Everyone is closed until May 15<sup>th</sup>. City by city may be doing the remote work. Three municipalities are closed period, except Public Works staff. The Town Clerk wants to talk about how Board would like the Town to move forward.

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The majority of Township staff have the ability to work remotely. The Clerk would like staff to work remotely through April 3<sup>rd</sup> and re-evaluate on the 6<sup>th</sup>, the next scheduled Town Board meeting, though he still thinks the Town should be closed through the 3<sup>rd</sup>. After that, since the Township is a small outfit, some staff could work in the building but restrict public access. Everything changes on a day-to-day basis.

There was discussion of how The Board should handle the April 6<sup>th</sup> meeting. It was decided that upon declaration of a pandemic, the procedure is straight forward: the Town Clerk, Town Attorney, and 1 Board member must be present, the others can call in via telephone. The members must be able to hear and speak via telephone. The notice has to be given and it was decided that the location will be moved to the Town Offices at 8 a.m. on Monday, April 6<sup>th</sup>. This was decided upon after discussion of video conferencing and the statutes that restrict that due to restricted public access during this isolating period. It was noted that McCune and Ruzek will be present, while Prudhon will telephone in. It was noted that video isn't required: the Town Board meetings are recorded as a service to the residents. Official minutes are all that is required.

There was discussion of the one other concern that trouble staff. Staff is concerned about residents paying bills. There was discussion of collecting the payments and placing them in a lock box for 4 to 5 days to ensure safe handling of materials. There was discussion of logistics of how staff will handle this because staff do not process payments in their home, they process at the Town Offices. It was noted that the staff member opening the mail will use protective equipment such as masks and gloves. Town staff will also put a note on the drop box that reads: do not leave cash. Between now and the 6<sup>th</sup> of April, staff will also put together a separation of duties in terms of payments coming in for the Town Board to approve the recommendation.

There was some discussion on any potential auditing and it was noted that they would understand in this unprecedented time. It was also noted that staff will contact all vendors and have them send all invoices electronically for staff to sign off on to further ensure safety. Staff will document all measures taken in case there are any questions at a later date.

**ATTORNEY UPDATE:** The Town Attorney reported on the **DNR Groundwater Management Update:** North Oaks Company reached out wanting to know when Town staff will know more about the water supply. The Minnesota Supreme Court should have a ruling in the next 2 weeks. But then there is still the administrative hearing with the DNR. Those hearings have been put on hold until after the Supreme Court Ruling. The Town Attorney suspects to have an update by the May Executive Board meeting. There was discussion of the newspaper article detailing the North Oaks Company proposal.

There was a question on the Portland property ruling and the appellate court that Stoddard's are going to get attorney fees. The Town Attorney noted that they have 30 days to see if they are going to appeal to the Supreme Court, first they have to file a petition and Town has opportunity to file a response to that petition. Unless the

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Supreme Court approves the petition then the process is dead and they will have to state the significance and that it hasn't been dealt with before. It is a rare and unpublished decision not seen it being taken by the Supreme Court.

**FLOW MONITORING:** The Public Works Director reported that flow monitoring is something that has been on the Town's radar to do for a while. Contractor SEH's background is working with MNX the other company we used to use. SEH is offering a full service so now they do the installation, monitoring and everything. Gave a quote of \$11,640.00 and the contractor ADF Environmental Services' quote is \$17,530.00. What both quotes entail is a 1-month flow monitoring period for 5 flow meters for 5 different locations. Two of the flow meters will be in the city of North Oaks, 2 will be in the Township, and 1 will be the North Oaks Company portion. Three are right along Centerville Road (the 1 for North oaks Company and the 2 for the Township), the other 2 are within the city of North Oaks. There was a question of the flow monitoring having anything to do with the sewer. It was noted that the flow monitoring covers all flow of water used, including sewer. It was also noted that Township staff will ensure that all moving parts, all parties, are on the same page. The Town Attorney will review the Joint Powers Agreement to ensure that this is agreed upon by North Oaks. Staff will ensure the communication, and include something in writing.

Next step is to have the Board approve, once the JPA is confirmed agreed for flow monitoring from the Town Attorney. It was noted that the Board should accept bid now and award the contract subsequent to confirming the JPA. There was some discussion on the state of the self-isolation skewing any data confirmed during the flow monitoring. It was noted that the purpose is to see if North Oaks has reached capacity for their flow and sewer in order to determine if they should be able to purchase more capacity in the sewer line. This flow monitoring would answer that question. There was also discussion of the next time the Town should do this. The situation with GHD Whirlpool Reynolds was brought up and the Town staff wants to make sure this type of thing never happens again.

Ruzek moved to receive the 2 bids for ADF Environmental Services, \$17,540, and the SEH, \$11,640. McCune seconded. Ayes all.

Ruzek moved to award the contract of the 2020 Flow Monitoring quote of \$11,640 from SEH, contingent on the review and approval of the Joint Powers Agreement between the parties. McCune seconded. Ayes all.

**ADDED AGENDA ITEMS:** The Town Finance Officer wanted to confirm with the Town Clerk and Town Board that the utility bills should still reach residents as usual on April 10<sup>th</sup>, normal due date 10<sup>th</sup>, after that a 10% late fee. Staff could do no penalty or change due date to 60 days. The latter option the Town Clerk and staff had discussed. This would be a 1-time scenario.

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Ruzek motioned to accept the 60-day no penalty in light of the state and federal government moving deadlines back also in light of the COVID-19 situation, for this quarter only. McCune seconded. Ayes all.

**OPEN TIME:** No one was present for open time.

**RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS:** Ruzek motioned to receive all Agenda Materials & Supplements for tonight's meeting. McCune seconded. Ayes all.

McCune moved to adjourn the meeting at 9:14 a.m. Ruzek seconded. Ayes all.

Respectfully Submitted,

Patrick Christopherson  
Recording Secretary

Approved as Official Meeting Minutes

\_\_\_\_\_  
Town Board Chair

\_\_\_\_\_  
Date