

REGULAR COUNCIL MEETING  
CITY OF CROSSLAKE  
MONDAY, JUNE 11, 2001  
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, June 11, 2001. The following Councilmembers were present: Mayor Darrell Swanson, Sandy Eliason, Irene Schultz and Dean Swanson. Absent was Charles (Chuck) Miller. Also present was City Administrator Thomas (Tom) Swenson, City Attorney Paul Sandelin, City Engineer Dave Reese, Community Development Director Paul Larson, Police Chief Robert Hartman, Park and Recreation Director Jon Henke, Public Works Director Ted Strand, Operations Manager Dennis Leaser, Clerk/Treasurer Darlene Roach and Lake Country Echo Reporter Betty Ryan. There were approximately ten individuals in the audience.

- A. **CALL TO ORDER** – Mayor Swanson called the Regular Meeting to order at 7:25 P.M.
- B. **CRITICAL ISSUES** - None
- C. **CONSENT CALENDAR** – MOTION 06R-01-01 WAS MADE BY DEAN SWANSON AND SECONDED BY SANDY ELIASON TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR CONSISTING OF: (1) MINUTES OF MAY 9, 2001 SPECIAL COUNCIL MEETING; (2) MINUTES OF MAY 14, 2001 REGULAR COUNCIL MEETING; (3) MINUTES OF MAY 17, 2001 BOARD OF REVIEW MEETING; (4) MINUTES OF MAY 17, 2001 SPECIAL COUNCIL MEETING; (5) CROSSLAKE COMMUNICATIONS TELEPHONE COMPANY STATISTICAL REPORT DATED APRIL 30, 2001; (6) CROSSLAKE COMMUNICATIONS CABLEVISION COMPANY STATISTICAL REPORT DATED APRIL 30, 2001; (7) CITY MONTH END EXPENDITURE REPORT DATED APRIL 30, 2001; AND (8) CITY MONTH END REVENUE REPORT DATED APRIL 30, 2001. MOTION CARRIED WITH ALL AYES.
- D. **MAYOR'S REPORT** – Barb DeLaHunt and Marge Bundgaard of the Whitefish Area Lions Club addressed the Council. Barb stated that the Whitefish Area Lions Club and Lions Clubs International have adopted the White Cane as a symbol of their commitment to better vision through research and treatment of eye disease. The local Lions Club over the past three years has been successful in raising money for the Lions Eye Bank at the University of Minnesota to continue research and development and is accessible to anyone in need of their services. Mayoral approval was requested to proclaim July 27<sup>th</sup> and July 28<sup>th</sup> as White Cane Days in the City of Crosslake. Mayor Swanson read the proclamation. MOTION 06R-02-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ APPROVING THE LIONS CLUB INTERNATIONAL AND WHITEFISH AREA LIONS CLUB PROCLAMATION WHICH ESTABLISHES WHITE CANE DAYS IN THE CITY OF CROSSLAKE ON JULY 27<sup>TH</sup> AND JULY 28<sup>TH</sup> 2001 AND URGING CITIZENS TO WEAR A WHITE CANE AS A SYMBOL OF THEIR SUPPORT OF THE CONTINUED

ADVANCEMENT IN THE TREATMENT OF DISEASES OF THE EYE THROUGH THE SERVICES OF THE LIONS CLUBS WITH THE GOAL OF ERADICATING DISEASES OF THE EYE. MOTION CARRIED WITH ALL AYES.

**E. CITY ADMINISTRATOR REPORT -**

1. Bills for Approval – MOTION 06R-02-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE THE BILLS FOR PAYMENT AS SUBMITTED IN THE AMOUNT OF \$42,585.89. MOTION CARRIED WITH ALL AYES.
2. Letter from George Riches dated May 15, 2001 regarding charges for consulting services – An estimate for consulting services was provided by George Riches for the roof replacement at the Emergency Services Center. It is estimated that the maximum number of hours would be 30 at an hourly rate of \$35.00. An estimate for consulting services for the remodeling project at the Community Center was estimated at 15 hours at a rate of \$35.00 per hour. MOTION 06R-03-01 WAS MADE BY DEAN SWANSON AND SECONDED BY SANDY ELIASON TO HIRE GEORGE RICHES AS A CONSULTANT AT A RATE OF \$35.00 PER HOUR FOR THE ROOF REPLACEMENT PROJECT AT THE ESC AND THE REMODELING PROJECT AT THE COMMUNITY CENTER. MOTION CARRIED WITH ALL AYES.
3. A May 2001 newsletter from BLADC was included for Council information.
4. A letter from United States Department of Commerce U.S. Census Bureau provided the 2000 census report for the City of Crosslake and was included for Council information.
5. Lakes State Bank Pledge Update dated May 31, 2001 was included for Council information.
6. Lakewood Bank Pledge Update dated May 31, 2001 was included for Council information.
7. Northern National Bank Pledge Update dated May 31, 2001 was included for Council information.

**F. COMMISSION REPORTS –**

1. PERSONNEL COMMITTEE –
  - a. Approval was requested to hire a Building and Registration Coordinator to replace Jeanne Quillen who resigned on May 23, 2001. Amy Roquette was the second candidate in the hiring process for this position when recommendations were brought to the Personnel Committee in April 2001. It is the recommendation of the Park and Recreation Department to hire Amy Roquette at a rate of \$7.45 per hour in a full time position serving a six month probation period. MOTION 06R-04-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN SWANSON TO APPROVE THE HIRING OF AMY ROQUETTE AS THE FULL TIME BUILDING AND

REGISTRATION COORDINATOR ON STEP 4 OF THE UNION SCALE AT \$7.45 PER HOUR SERVING A SIX MONTH PROBATION PERIOD. MOTION CARRIED WITH ALL AYES.

- b. Approval to hire Deputy Clerk – On June 8<sup>th</sup>, the Personnel Committee approved the recommendation of the Interview Committee to hire Mildren (Patty) Potts to the full time position of Deputy Clerk on Step 2 of the 2001 Union Step Schedule (\$10.99) per hour effective June 18, 2001, that a six month probation period be served and that all other benefits of the Union Contract be offered. MOTION 06R-05-01 WAS MADE BY DEAN SWANSON AND SECONDED BY SANDY ELIASON TO APPROVE THE HIRING OF MILDRED POTTS TO THE FULL TIME POSTION OF DEPUTY CLERK ON STEP 2 OF THE UNION STEP SCHEDULE AND TO SERVE A SIX MONTH PROBATION PERIOD. MOTION CARRIED WITH ALL AYES.
  - c. Memo from Clerk/Treasurer regarding City Paid Life Insurance – The Personnel Committee recommends changing the effective date for City paid life insurance for new employees from the date of employment to the first day of the month following employment. MOTION 06R-06-01 WAS MADE BY SANDY ELIASON AND SECONDED BY DEAN SWANSON TO APPROVE THE RECOMMENDATION TO CHANGE THE EFFECTIVE DATE FOR CITY PAID LIFE INSURANCE TO THE FIRST OF THE MONTH FOLLOWING EMPLOYMENT. MOTION CARRIED WITH ALL AYES.
2. ECONOMIC DEVELOPMENT AUTHORITY –
    - a. The minutes of the May 2, 2001 meeting were included for Council information.
    - b. The minutes of the June 6, 2001 meeting were include for Council information.
  3. CHARTER SCHOOL – Councilmember Schultz reported that school is out for the 2000-2001 school year. An open house will be held on June 12<sup>th</sup> at the Old Fire Hall and hot dogs and pop will be served at 7:00 p.m. The curriculum for the upcoming school year will be discussed. Children can be enrolled in the charter school during the open house. An open board meeting will precede the open house.
  4. LIBRARY COMMITTEE – Councilmember Eliason reported on the Kitchigami Regional Board Meeting that she attended on May 17, 2001. In a letter dated May 24, 2001, the City was informed that at this meeting, the Crosslake Library was approved as a branch of the region. The Board

established \$18.00 per capita as the entry levy rate for Crosslake, subject to implementation of the service level outlined in a March 2001 report to the Board from Marian Ridge, Director of the Kitchigami Regional Library System. There was considerable discussion at the board meeting regarding the per capita amount. Councilmember Swanson stated that he had a problem with the per capita amount assigned since Crosslake had the highest per capita amount when compared to other cities. The Library Committee requested that two Councilmembers attend a meeting with the Regional Board. Mayor Swanson agreed to attend along with Councilmember Eliason. MOTION 06R-07-01 WAS MADE BY SANDY ELIASON AND SECONDED BY DEAN SWANSON TO INVOKE PART 2 OF THE BRANCH ESTABLISHMENT POLICY WHERE A JOINT MEETING WILL BE HELD WITH THE KITCHIGAMI REGIONAL LIBRARY BOARD, TWO MEMBERS OF THE CITY COUNCIL AND MEMBERS OF THE LIBRARY COMMITTEE TO DISCUSS LOCAL LEVIES AND LEVELS OF SERVICE. MOTION CARRIED WITH ALL AYES.

5. UTILITIES –

- a. Minutes of the May 29, 2001 Investment Committee Meeting were included for Council information.
- b. Interim Manager Dennis Leaser presented the May Highlights Report. He stated that the current server, which was purchased in 1994, is in need of replacement. After reviewing several options, the Commission recommends timesharing with Consolidated Telephone Company. MOTION 06R-08-01 WAS MADE BY SANDY ELIASON AND SECONDED BY IRENE SCHULTZ TO APPROVE TIMESHARING WITH CONSOLIDATED TELEPHONE COMPANY'S SERVER FOR A MONTHLY FEE OF \$2300 FOR A THREE YEAR PERIOD. MOTION CARRIED WITH ALL AYES. The Utilities Commission recommends the appointment of William Smith as a member of the Utilities Commission. MOTION 06R-09-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE THE APPOINTMENT OF WILLIAM SMITH TO THE UTILITIES COMMISSION WITH HIS FIRST TERM EXPIRING FEBRUARY 1, 2003. MOTION CARRIED WITH ALL AYES. Interim Manager Dennis Leaser requested approval to schedule a joint Utilities/Council meeting on Tuesday, June 26<sup>th</sup> at 9:00 A.M. at Crosslake Communications. Programming changes to cablevision will be reviewed. Construction has begun with Rice Cable on the 2001 CATV upgrade project. Bill Gordon is celebrating his 5<sup>th</sup> anniversary and Tina Moroni will celebrate her 1<sup>st</sup> anniversary in June. Dennis reported that the General Manager search continues with forty-five applications having

been received for the position. The Interview Committee will conduct the interviews in the next few days.

**6. PUBLIC SAFETY –**

- a. Chief Bob Hartman reported that there were 211 incidents in Crosslake in May and 21 incidents in Mission Township.
- b. Chief Hartman stated that a letter was received from Adele Anderson on Rushmoor Trail regarding animal control and public safety. It was noted that the Chief is currently working on a dog ordinance for the City.
- c. The Fire Department report for May indicated that 10 medicals and 4 fire calls were responded to.

**7. PUBLIC WORKS –**

- a. A memo from the Public Works Commission dated May 22, 2001 stated that a request from Crosswoods Development to reverse the traffic flow around the town square was reviewed. A motion was approved by the Commission indicating that they have no objection to reversing the traffic. Also discussed was a request by Crosswoods Development regarding responsibility for payment of signs and striping along Swann Drive. The Commission recommends that the City provide stop signs at intersections along Swann Drive and that the developer be responsible for payment of all striping and any other signage along Swann Drive as part of the initial cost of the road. MOTION 06R-10-01 WAS MADE BY DEAN SWANSON AND SECONDED BY SANDY ELIASON TO APPROVE THE CITY PURCHASING THE STOP SIGNS AT INTERSECTIONS ALONG SWANN DRIVE AND THAT THE DEVELOPER STRIP THE ROAD AND PURCHASE SIGNS RELATED TO THE DEVELOPMENT. MOTION CARRIED WITH ALL AYES.
- b. A letter dated June 4, 2001 recommends release of \$10,027.57 in retainage from the 2000 road projects to Anderson Brothers. MOTION 06R-11-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE THE RELEASE OF \$10,027.57 AS FINAL PAYMENT TO ANDERSON BROTHERS ON THE 2000 ROAD PROJECTS. MOTION CARRIED WITH ALL AYES. City Administrator Tom Swenson asked City Engineer Dave Reese if the one-year warranty period commenced at this time and it was agreed that it does.
- c. The Public Works Commission engaged in a discussion regarding damage to the sub-base on Dream Island road caused by animals tunneling into the road base. A motion was made to

recommend to the City Council that the City Engineer obtain a price from Anderson Brothers based on the 2001 road project unit prices and that the City Council consider a possible change order to the contract to include the necessary repairs. MOTION 06R-12-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO AUTHORIZE THE CITY ENGINEER'S OBTAINING PRICING FOR WORK TO DREAM ISLAND ROAD. MOTION CARRIED WITH ALL AYES.

- d. The Public Works Commission reviewed various quotes which were obtained by Public Works Director Ted Strand for crack sealing. After a lengthy discussion ensued, it was recommended that Daffinson Asphalt Maintenance be approved to crack fill the roads included in the 2000 road project, crack fill and seal coat the bike path along CSAH 66 including repairs and patches to the bike path at the approaches to the two bridge crossings. MOTION 06R-13-01 WAS MADE BY DEAN SWANSON AND SECONDED BY SANDY ELIASON TO APPROVE THE QUOTES FROM DAFFINSON ASPHALT MAINTENANCE FOR ROUTING AND CRACK FILLING THE ROADS INCLUDED IN THE 2000 ROAD PROJECT AT A COST OF \$1.10 PER POUND AND TO CRACK FILL AND SEAL COAT THE BIKE PATH ALONG CSAH 66 AT A COST OF \$13,927. MOTION CARRIED WITH ALL AYES.
- e. The Public Works Commission reviewed the drainage problems along Daggett Pine Road north of the intersection of Miller Road and recommend that the City pursue negotiations with the landowner to complete a land trade, which would be of benefit to both the City and property owner. MOTION 06R-14-01 WAS MADE BY DEAN SWANSON AND SECONDED BY SANDY ELIASON TO GIVE COUNCILMEMBER MILLER AND STAFF PERMISSION TO NEGOTIATE A LAND TRADE BETWEEN THE CITY AND THE LANDOWNER. MOTION CARRIED WITH ALL AYES.
- f. The Public Works Commission reviewed a request from Crosswoods Development to reverse the traffic flow around the Town Square. The Commission recommends approval on the request. MOTION 06R-15-01 WAS MADE BY SANDY ELIASON AND SECONDED BY IRENE SCHULTZ TO APPROVE REVERSING THE TRAFFIC FLOW AROUND THE TOWN SQUARE AS REQUESTED. MOTION CARRIED WITH ALL AYES.
- g. Update on 2001 Road Projects – City Engineer Dave Reese stated that the contracts were delivered to the City this date and once the contracts are signed by Mayor Swanson and City Administrator Swenson, the project can proceed.

- h. A memo from Richard Upton reported on a Joint County Board-Highway Advisory Committee meeting held on June 5, 2001 which he attended in place of Councilmember Miller. Mayor Swanson read the last paragraph of the first page of the memo which stated that "surveying and centerline markings have been completed for planned reconstruction of County Road 103 in 2001. Plans are anticipated to be completed by the end of June with bids to be taken in the summer of 2001 with anticipated contract and construction in late summer of 2001."
- i. A letter dated June 11, 2001 from WSN contained a proposal for professional design services and architecture and engineering for a Joint City/County Public Works Equipment Maintenance Facility. MOTION 06R-16-01 WAS MADE BY DEAN SWANSON AND SECONDED BY SANDY ELIASON TO APPROVE THE CITY'S PARTICIPATION IN THE PRELIMINARY ARCHITECTURAL AND ENGINEERING DESIGN PHASE FOR THE JOINT MAINTENANCE FACILITY AT A COST NOT TO EXCEED \$25,000. WITH THE COUNTY SPLITTING THE COST 50/50. MOTION CARRIED WITH ALL AYES.
- j. In order to issue bonds to pay expenses incurred prior to issuance of bonds, City Administrator Tom Swenson requested approval on Resolution No. 01-24. MOTION 06R-17-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO ADOPT RESOLUTION 01-24 ESTABLISHING PROCEDURES RELATING TO COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE INCLUDING THREE EXHIBITS. MOTION CARRIED WITH ALL AYES.
- k. A letter dated June 8, 2001 from City Attorney Paul Sandelin contained a resolution and documentation giving the City an easement over Army Corps of Engineer property along Ivy Lane. MOTION 06R-18-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO ADOPT RESOLUTION 01-25 WHEREAS THE ARMY CORPS OF ENGINEERS ISSUED A ROAD EASEMENT TO THE CITY OF CROSSLAKE FOR IMPROVEMENT TO IVY LANE. MOTION CARRIED WITH ALL AYES.
- l. A letter dated June 11, 2001 from City Attorney Paul Sandelin stated that an order from Crow Wing County District Court directed the City to pay the sum of \$1518 for the Wisemiller easement. Upon receipt of payment, the City is granted the permanent easement requested in the condemnation petition. In the interim, the Court will appoint a three-person panel to determine the appropriate value of the easement. This action clears the way for the City to proceed with payment and

subsequent road construction after July 9<sup>th</sup>. MOTION 06R-19-01 WAS MADE BY DEAN SWANSON AND SECONDED BY IRENE SCHULTZ TO APPROVE PAYMENT IN THE AMOUNT OF \$1518 TO CROW WING COUNTY DISTRICT COURT ADMINISTRATOR FOR THE WISEMILLER CONDEMNATION. MOTION CARRIED WITH ALL AYES.

- m. City Administrator Tom Swenson read the last paragraph of the memo from the Public Works Commission dated May 22, 2001 dealing with the road to be built in the Albinson's Retreat Plat. Community Development Director Paul Larson was in attendance at the meeting and presented a request, along with City Engineer Dave Reese, to allow a portion of the road to be built within the plat to be constructed with a 14' paved surface. A motion was approved to recommend to the City Council that the Albinsons retreat Plat road serving Lots 3 and 4 be allowed to be built with a 14' paved surface based on erosion and environmental concerns and that a drainage easement be conveyed on that side of Lot 3 lying on the Loon Lake side and that portion of Lot A lying north of the right of way.

#### 8. PLANNING AND ZONING –

- a. The May 2001 Permit Summary was included for Council information. A total of 163 permits have been issued year-to-date for a year-to-date valuation of \$5,764,210.
- b. The Minutes of the May 18, 2001 Planning and Zoning Commission and Public Hearing were included for Council information.
- c. Albinsons Retreat Final Plat 00-07 – Community Development Director Paul Larson stated that the final plat meets all of the conditions of the Ordinance and the Staff is recommending approval of the final plat with conditions. A property owner adjacent to the Albinsons property has requested that he be given an easement for ingress/egress to his property. City Attorney Sandelin has contacted Mr. Wartman and his attorney. City Attorney Sandelin advised the Council that they should not become involved in issues between two property owners. Mr. Wartman acquired the property through tax forfeiture proceedings rather than through a purchase. MOTION 06R-20-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO APPROVE THE FINAL PLAT 00-07 FOR ALBINSONS RETREAT PROVIDED: (1) THE PROPOSED PRIVATE ROAD AND DRAINAGE SYSTEMS ARE CONSTRUCTED ACCORDING TO THE DRAINAGE PLANS WITH REVISIONS SUBMITTED WITH THE APPLICATION; (2) BEST MANAGEMENT PRACTICES ARE USED DURING AND AFTER CONSTRUCTION TO PREVENT EROSION AND MINIMIZE IMPACTS ON THE

WETLANDS AND LAKE; (3) THE ROAD SHALL REMAIN IN PRIVATE OWNERSHIP AND BE PRIVATELY MAINTAINED WITH NO OBLIGATION TO THE CITY; (4) COVENANTS AND TITLE OPINION ARE APPROVE BY THE CITY ATTORNEY PRIOR TO SIGNING OF THE FINAL PLAT; (5) ALL PARK DEDICATION, CITY ATTORNEY, CITY ENGINEER AND CITY SURVEYOR FEES ARE PAID PRIOR TO SIGNING OF THE FINAL PLAT; (6) THE PRIVATE ROAD MUST BE CONSTRUCTED TO CITY STANDARDS WITH VARIATIONS RECOMMENDED BY THE PUBLIC WORKS COMMISSION INCLUDING a. A 6.5 FOOT CLEAR ZONE ON EITHER SIDE OF THE ROAD RATHER THAN THE 10 FOOT REQUIRED DUE TO THE FACT THAT THE ROAD IS A PRIVATE ROAD FOR MAINTENANCE PURPOSES b. A 14 FEET WIDE PAVED SURFACE BE ALLOWED FOR THAT PART OF THE PRIVATE ROAD SERVING LOTS 3 AND 4 RATHER THAN THE 18 FEET REQUIRED DUE TO EROSION AND ENVIRONMENTAL CONCERNS ALONG THAT SEGMENT; AND c. A DRAINAGE EASEMENT BE CONVEYED ON THAT SIDE OF LOT 3 LYING ON THE LOON LAKE SIDE OF THE ROAD RIGHT-OF-WAY AND THAT PORTION OF OUTLOT A LYING NORTH OF THE RIGHT-OF-WAY AS SHOWN ON THE DRAINAGE PLAN DATED MAY 11, 2001; (7) A DRAINAGE AND UTILITY EASEMENT IS CONVEYED TO THE CITY WITH THE PRIVATE ROAD RIGHT-OF-WAY REPRESENTING THE BOUNDARIES OF THIS EASEMENT. MOTION CARRIED WITH ALL AYES.

- d. Park Dedication for Metes and Bounds Subdivision Approval – The Planning and Zoning Commission approved the Metes & Bounds Subdivision 01-06 for Larry Coulter, however Park Dedication requires Council approval. The Park and Recreation Director recommends that cash in lieu of land be collected for park dedication. MOTION 06R-21-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY DEAN SWANSON TO APPROVE CASH IN LIEU OF LAND IN THE AMOUNT OF \$1000 FOR THE COULTER METES AND BOUNDS SUBDIVISION. MOTION CARRIED WITH ALL AYES.
- e. Park Dedication for Metes and Bounds Subdivision Approval – The Planning and Zoning Commission approved the Metes & Bounds Subdivision 01-07 for Harry Steffen, however Park Dedication requires Council approval. The Park and Recreation Director recommends that cash in lieu of land be collected for park dedication. MOTION 06R-22-01 WAS MADE BY SANDY ELIASON AND SECONDED BY IRENE SCHULTZ TO APPROVE CASH IN THE AMOUNT OF \$1000 IN LIEU

OF LAND FOR THE STEFFEN METES AND BOUNDS  
SUBDIVISION. MOTION CARRIED WITH ALL AYES.

- f. A letter dated June 4, 2001 from City Attorney Paul Sandelin included a Notice of Application to Vacate the Service Road over M&D Addition in Crosslake. The City did sign a Quit Claim on this property, however the property owners are going through the vacation process. The City Attorney requested approval from the Council to forward a letter to the Court indicating that the City has no objection to the application. MOTION 06R-23-01 WAS MADE BY SANDY ELIASON AND SECONDED BY DEAN SWANSON AUTHORIZING THE CITY ATTORNEY TO SEND A LETTER TO THE COURT STATING THAT THE CITY HAS NO OBJECTION TO THE VACATION. MOTION CARRIED WITH ALL AYES.
- g. A WAPOA On-site Sewer Inspection Update was included for Council information.

9. LONG RANGE CAPITAL PLANNING –

- a. The minutes of the April 25, 2001 Meeting were included for Council information.

10. SEWER COMMITTEE –

- a. The Minutes of the April 11, 2001 Meeting were included for Council information.
- b. The Minutes of the April 21, 2001 Sewer Informational Meeting were included for Council information.

11. PARK AND RECREATION –

- a. Park and Recreation Director Jon Henke requested Council approval to accept \$355.55 from the Crosslake-Ideal Lions Club towards the purchase of a portable oxygen kit for the Park and Recreation Program. MOTION 06R-24-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO ACCEPT WITH APPRECIATION THE DONATION OF \$355.55 FROM THE CROSSLAKE-IDEAL LIONS CLUB FOR THE PURCHASE OF A PORTABLE OXYGEN KIT. MOTION CARRIED WITH ALL AYES.
- b. A baseball fund raiser was held over the Memorial Day weekend and Park and Recreation Director Jon Henke thanked Reed's Market for all their help in this effort as well as the many volunteers who sold brats and hot dogs. The efforts of these volunteers and Reed's will ensure quality equipment, umpires and uniforms for the young ball players of the community.

- c. Council approval was requested to contract with Julia Henderson and Liz Meschke as instructors for the summer tennis program. The 2001 Park Budget has allocated \$2000 for expenses for this program. A contract will be sent to the instructors. MOTION 06R-25-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO CONTRACT WITH JULIA HENDERSON AND LIZ MESCHKE TO CONDUCT TENNIS LESSONS AND THE CROSSLAKE/MISSION CLASSIC TENNIS TOURNAMENT FOR 2001 WITH EACH INSTRUCTOR BEING PAID UP TO \$650. MOTION CARRIED WITH ALL AYES.
  - d. Registrations for tennis lessons are available at the Community Center at a cost of \$25.00. The lessons will begin on July 10<sup>th</sup>.
  - e. The Fun in the Park program will meet at the Community Center on Monday's and Wednesday's for the 6-8 year olds and Tuesday's and Thursday's for the 4-5 year olds. Pre-registration is required. The registration deadline is Wednesday, June 13<sup>th</sup>. The cost for this program is \$20.
  - f. Jim Soderlund collected baseballs at major league spring training camps this year to donate to the Park baseball program. The Park and Recreation Department is appreciative of this donation to the baseball program.
  - g. The adult tennis mixer is starting on Thursday nights. Courts are reserved from 4-7 PM on Thursdays for this program. There is no fee for the program and tennis balls are provided for those that play. The balls are being furnished through the \$200 grant that was received earlier this year from the United States Tennis Association.
  - h. The WAPOA Boat Safety Classes will be held on June 14<sup>th</sup> and June 28<sup>th</sup> at the Community Center. Registration is through C & C Boatworks.
  - i. The Park and Recreation Department requested approval to close the Community Center on Sundays between June 17<sup>th</sup> and September 2<sup>nd</sup>. This change comes about due to staffing challenges and minimal use of the facility during the summer months. MOTION 06R-26-01 WAS MADE BY IRENE SCHULTZ AND SECONDED BY SANDY ELIASON TO APPROVE CLOSING THE COMMUNITY CENTER ON SUNDAYS BETWEEN JUNE 17<sup>TH</sup> AND SEPTEMBER 2<sup>ND</sup>. MOTION CARRIED WITH ALL AYES.
  - j. The minutes of the June 8, 2001 Park Advisory Commission Meeting were included for Council information.
12. RECYCLING – A total of 22.03 tons of recyclables were collected in May bringing the year-to-date total to 73.68 tons.

**G. OLD BUSINESS – None**

**H. NEW BUSINESS – None**

- I. PUBLIC FORUM** – Gary Kern addressed the Council regarding the removal of pots at the Cemetery. City Administrator Swenson stated that the new Staff in the Public Works Department read the rules and regulations for the Cemetery and removed items when cleaning the Cemetery before Memorial Day. The Clerk was directed to contact Mr. Kern as to where he could pick up his urn.

MOTION 06R-27-01 WAS MADE BY DEAN SWANSON AND SECONDED BY SANDY ELIASON TO ADJOURN THIS REGULAR COUNCIL MEETING AT 9:30 P.M. MOTION CARRIED WITH ALL AYES.

Recorded and transcribed by,



Darlene J. Roach  
Clerk/Treasurer

Regular Council Meeting – June 11, 2001

BILLS FOR PAYMENT				
11-Jun-01				
VENDOR		DEPT	CHECK #	AMOUNT
Whitefish Auto - oil, filter, lube		PD		\$21.60
Mn Dept of Health - Food license		Park		\$120.00
Echo Publishing - Public Hearing Notice		P&Z		\$45.50
Echo Publishing - Public Hearing Notice		P&Z		\$26.00
Signs & Designs - nature trail sign		Park		\$42.60
Northwood Turf & Power - battery, blade		Park		\$89.90
Viking Coca Cola - pop		Park		\$52.40
Echo Publishing - Umpire ad		Park		\$26.60
Echo Publishing - Shopper Umpire Ad		Park		\$16.40
Blue Lakes Disposal - garbage svc		Gov't		\$29.25
Blue Lakes Disposal - garbage svc		PW		\$14.63
Blue Lakes Disposal - garbage svc		Park		\$49.73
Brd Medical Supply - ice bags, tape, gloves		Park		\$26.89
Mills Fleet Farm - lynchpins, angle iron		PW/Park		\$19.20
The Office Shop - laminate, copy paper		Adm		\$26.07
Video Plus - pizza for training meeting		Fire		\$95.50
Mills Fleet Farm - acrylic, filter		Cemetery		\$54.91
Crow Wing - electric service		Park		\$10.65
Crow Wing - electric service		PW		\$58.15
Crow Wing - electric service		Park		\$11.00
Crow Wing - electric service		Park		\$270.38
Crow Wing - electric service		Warm Hse		\$20.39
Crow Wing - electric service		Street Lgts		\$59.11
Crow Wing - electric service		Gov't		\$455.00
Xcel Energy - natural gas		Warm Hse		\$25.90
Xcel Energy - natural gas		Park		\$92.13
Crosslake Rolloff - recycling		Recycle		\$1,950.00
Holiday - gas		P&Z		\$29.66
Ehlers - professional services		Sewer		\$562.50
MN Clerks & Fin Off - dues		Adm		\$35.00
MN Clerks & Fin Off - dues		Adm		\$35.00
Viking Coca Cola - pop		Gov't		\$72.85
Ace Hardware - gloss		PD		\$4.25
Marco - chair		Adm		\$318.44
Ace Hardware - debug		PD		\$2.33
Ace Hardware - measure wheel		PW		\$143.76
Martin Comm - repair radio in grader,p/u		PW		\$680.06
Mills Fleet Farm - sprinkler		Gov't		\$98.79
Northwood Turf - blade, gear case, belt		PW		\$666.82
Insty Prints - maps		P&Z		\$76.36
Kelli Thull - one personal trg		Park		\$22.00
Officemax - park office supplies		Park		\$81.95
Holiday - gas		Park		\$28.79
The Office Shop - adding mach tape		Adm		\$4.89
Martin Comm - belt clip, antenna mold		Fire		\$43.76
Frontline Plus - Super Pass Alarms		Fire		\$305.90

Dennis Palm - Park expenses on Master Plan	Park		\$103.20
The Office Shop - misc office supplies	Adm/PD/P&Z		\$126.13
Simonson Lumber - 2x6's, 2x4's, fir, hasp	PW		\$88.58
BLADC - services	Gov't		\$750.00
Officemax - desk jet printer	P&Z		\$127.79
Northern Lakes Embroidery - 30 hats	Park		\$45.00
Ace Hardware - ant & roach spray	Park		\$6.49
Viking Coca Cola - pop	Park		\$52.40
Viking Coca Cola - pop	Park		\$17.47
United Lab - Hepacide, Oz-a-Matic, smell jel	PW		\$609.18
Shelly Neiman - contract fees	P&Z		\$213.75
Echo Publishing - Ord #142	P&Z		\$19.50
Echo Publishing - Ord # 143	P&Z		\$22.75
Holiday - gas	Fire		\$97.00
Holiday - gas	P&Z		\$78.73
Holiday - gas	PD		\$581.03
The Office Shop - notary stamp	P&Z		\$28.65
MN Assoc of Small Cities - membership dues	Gov't		\$501.66
Culligan - bottled water	Gov't		\$25.56
Cellular One - cell phone service	PD		\$159.52
OfficeMax - key cabinet, disks, waste can	Park		\$117.09
Crosslake Communications - phone/fax/dsl/internet	All		\$1,047.01
Kack Drug - photos	PD		\$5.37
Moonlite Square - gas	Fire		\$73.79
Moonlite Square - gas	PD		\$326.27
Uniforms Unlimited - bulletproof vest	PD		\$849.95
Napa Auto Parts - parts	Fire		\$70.23
Padgett Thompson - shipping costs	Adm		\$8.90
Lakes Area Rental - Sawzall rental	Gov't		\$31.95
Widseth Smith Nolting - eng fees	All		\$21,369.05
Payroll/Council & Employee	All		N/A
PERA	All		N/A
State/Federal Taxes	All		N/A
Deferred Comp	All		N/A
MN Life (includes telephone company empl)	All		N/A
MN Benefits	All		N/A
NCPERS - life insurance	All		\$84.00
Council #65 - union dues	All		\$83.10
Medica -			\$6,889.52
Delta Dental - dental insurance			\$794.50
Fortis - disability			\$149.77
MN Ncpers - employee paid life insurance	All		\$108.00
		Total	\$42,585.89

## EXHIBIT A-1

- Red Oak Circle from the intersection of Happy Landing road to the end of the cul-de-sac; (\$25,400)
- White Oak Drive from the intersection of Urban Point Road to the intersection of CSAH 103; (\$56,400)
- Anderson Court from the intersection of CSAH 103, north, to the end of the cul-de-sac; (\$36,000)
- The entire length of Ivy Lane and Ivy Trail from the intersection of Ivy Lane to the end of the road; (\$45,350)
- 1<sup>st</sup> Street from the intersection of CSAH 16 to the intersection of 2<sup>nd</sup> Avenue, 2<sup>nd</sup> Avenue from the intersection of 1<sup>st</sup> Street to the end of the road and 2<sup>nd</sup> Street from the intersection of 1<sup>st</sup> Street to the end of the road; (\$34,600)
- Gale Lane from the intersection of CSAH 16 to Lot 3, Perkins Ridge Plat; (\$15,200)
- Eagle Street from the intersection of CSAH 66 to the end of the road; (\$19,200)
- Pinedale Street from the intersection of Manhattan Point Boulevard, east, approximately 300 feet; (\$15,000)
- Rush Lane from the intersection of Anchor Point Road to the end of the road; (\$17,900)
- Ginseng Patch Road from the intersection of Anchor Point Road to the beginning of Lot 20 Seekel Plat, all of Twin Bay Drive beginning at Ginseng Patch Road and Anchor Point Road beginning at the end of the current bituminous surface (approximately the NE corner of Lot 18, Anderson Twin Bay Shores Plat) to the end of the road; (\$69,100)
- Summit Avenue from the intersection of Whitefish Avenue, north, to the intersection of Shadywood Street; (\$34,300)
- Manhattan Drive from the intersection of Manhattan Point Boulevard to the end of the road; (\$12,750)
- Cool Haven Lane from the intersection of South Landing, west, approximately 1400 feet lying within Government Lot 3; (\$34,700)
- Anchor Point Trail from the intersection of Anchor Point Road to the end of the road; (\$29,300)
- Anchor Point Road overlay; (\$9,100)
- Kimball Road crossing; (\$11,200)
- Tall Timber Trail/Backdahl Road connection. (\$22,700)

RESOLUTION NO. 01-24

RESOLUTION ESTABLISHING PROCEDURES  
RELATING TO COMPLIANCE WITH REIMBURSEMENT BOND  
REGULATIONS UNDER THE INTERNAL REVENUE CODE

BE IT RESOLVED by the City Council (the "Council") of the City of Crosslake, Minnesota (the "City"), as follows:

1. Recitals.

a. The Internal Revenue Service has issued Treasury Regulations, Section 1.150-2 (as the same may be amended or supplemented, the "Regulations"), dealing with "reimbursement bond" proceeds, being proceeds of the City's bonds used to reimburse the City for any project expenditure paid by the City prior to the time of the issuance of those bonds.

b. The Regulations generally require that the City make a declaration of intent to reimburse itself for such prior expenditures out of the proceeds of subsequently issued bonds, that such declaration be made not later than 60 days after the expenditure is actually paid, and that the bonding occur and the written reimbursement allocation be made from the proceeds of such bonds within 18 months after the later of (1) the date of payment of the expenditure or (2) the date the project is placed in service (but in no event more than 3 years after actual payment).

c. The City heretofore implemented procedures for compliance with the predecessor versions of the Regulations and desires to amend and supplement those procedures to ensure compliance with the Regulations.

d. The City's bond counsel has advised the City that the Regulations do not apply, and hence the provisions of this Resolution are intended to have not application to payments of City project costs first made by the City out of the proceeds of bonds issued prior to the date of such payments.

2. Official Intent Declaration. The Regulations, in the situations in which they apply, require the City to have declared an official intent (the "Declaration") to reimburse itself for previously paid project expenditures out of the proceeds of subsequently issued bonds. The Council hereby authorizes the City Administrator to make the City's Declarations or to delegate from time to time that responsibility to other appropriate City employees.

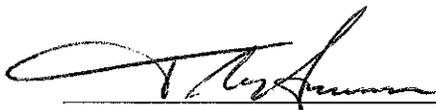
Each Declaration shall comply with the requirements of the regulations, including without limitation the following:

- a. Each Declaration shall be made not later than 60 days after payment of the applicable project cost and shall state that the City reasonably expects to reimburse itself for the expenditure out of the proceeds of a bond issue or similar borrowing. Each Declaration may be made substantially in the form of the Exhibit A, which is attached to and made a part of this Resolution, or in any other format which may at the time comply with the Regulations.
- b. Each Declaration shall (1) contain a reasonable accurate description of the "project," as defined in the Regulations (which may include the property or program to be financed, as applicable), to which the expenditure relates and (2) state the maximum principal amount of bonding expected to be issued for that project.
- c. Care shall be taken so that the City, or its authorized representatives under this Resolution, not make Declarations in cases where the City does not reasonably expect to issue reimbursement bonds to finance the subject project costs, and the City officials are hereby authorized to consult with bond counsel to the City concerning the requirements of the Regulations and their application in particular circumstances.
- d. The Council shall be advised from time to time on the desirability and timing of the issuance of reimbursement bonds relating to project expenditures for which the City had made Declarations.

3.. Reimbursement Allocations. The designation City officials shall also be responsible for making the reimbursement allocations described in the Regulations, being generally written allocations that evidence the City's use of the applicable bond proceeds to reimburse the original expenditures.

3. Effect. This Resolution shall amend and supplement all prior resolutions and/or procedures adopted by the City for compliance with the Regulations (or their predecessor versions), and, henceforth, in the event of any inconsistency, the provisions of this Resolution shall apply and govern.

Adopted this 11<sup>th</sup> day of June 2001, by the Crosslake City Council.

  
\_\_\_\_\_  
Thomas N. Swenson  
City Administrator

  
\_\_\_\_\_  
Darrell E. Swanson  
Mayor

## EXHIBIT A

### Declaration of Official Intent

The undersigned, being the duly appointed and acting City Administrator of the City of Crosslake, Minnesota (the "City"), pursuant to and for purposes of compliance with Treasury Regulations, Section 1.150-2 (the "Regulations"), under the Internal Revenue Code of 1986, as amended, hereby states and certifies on behalf of the City as follows:

1. The undersigned has been and is on the date hereof duly authorized by the Crosslake City Council to make and execute this Declaration of Official Intent (the "Declaration") for and on behalf of the City.
2. This Declaration relates to the following project, property or program (the "Project") and the costs thereof to be financed:  
  
SEE ATTACHED EXHIBIT A-1 (description of road projects)
3. The City reasonably expects to reimburse itself for the payment of certain costs of the Project out of the proceeds of a bond issue or similar borrowing (the "Bonds") to be issued by the City after the date of payment of such costs. As of the date hereof, the City reasonably expects that \$488,000 is the maximum principal amount of the Bonds, which will be issued to finance the project.
4. Each expenditure to be reimbursed from the Bonds is or will be a capital expenditure or a cost of issuance, or any of the other types of expenditures described in Section 1.1502(d)(3) of the Regulations.
5. As of the date hereof, the statements and expectations contained in this Declaration are believed to be reasonable and accurate.

Date: June 11, 2001



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City Administrator  
City of Crosslake, Minnesota

## EXHIBIT A-1

- Red Oak Circle from the intersection of Happy Landing road to the end of the cul-de-sac; (\$25,400)
- White Oak Drive from the intersection of Urban Point Road to the intersection of CSAH 103; (\$56,400)
- Anderson Court from the intersection of CSAH 103, north, to the end of the cul-de-sac; (\$36,000)
- The entire length of Ivy Lane and Ivy Trail from the intersection of Ivy Lane to the end of the road; (\$45,350)
- 1<sup>st</sup> Street from the intersection of CSAH 16 to the intersection of 2<sup>nd</sup> Avenue, 2<sup>nd</sup> Avenue from the intersection of 1<sup>st</sup> Street to the end of the road and 2<sup>nd</sup> Street from the intersection of 1<sup>st</sup> Street to the end of the road; (\$34,600)
- Gale Lane from the intersection of CSAH 16 to Lot 3, Perkins Ridge Plat; (\$15,200)
- Eagle Street from the intersection of CSAH 66 to the end of the road; (\$19,200)
- Pinedale Street from the intersection of Manhattan Point Boulevard, east, approximately 300 feet; (\$15,000)
- Rush Lane from the intersection of Anchor Point Road to the end of the road; (\$17,900)
- Ginseng Patch Road from the intersection of Anchor Point Road to the beginning of Lot 20 Seekel Plat, all of Twin Bay Drive beginning at Ginseng Patch Road and Anchor Point Road beginning at the end of the current bituminous surface (approximately the NE corner of Lot 18, Anderson Twin Bay Shores Plat) to the end of the road; (\$69,100)
- Summit Avenue from the intersection of Whitefish Avenue, north, to the intersection of Shadywood Street; (\$34,300)
- Manhattan Drive from the intersection of Manhattan Point Boulevard to the end of the road; (\$12,750)
- Cool Haven Lane from the intersection of South Landing, west, approximately 1400 feet lying within Government Lot 3; (\$34,700)
- Anchor Point Trail from the intersection of Anchor Point Road to the end of the road; (\$29,300)
- Anchor Point Road overlay; (\$9,100)
- Kimball Road crossing; (\$11,200)
- Tall Timber Trail/Backdahl Road connection. (\$22,700)

## EXHIBIT B

### Declaration of Official Intent

The undersigned, being the duly appointed and acting City Administrator of the City of Crosslake, Minnesota (the "City"), pursuant to and for purposes of compliance with Treasury Regulations, Section 1.150-2 (the "Regulations"), under the Internal Revenue Code of 1986, as amended, hereby states and certifies on behalf of the City as follows:

1. The undersigned has been and is on the date hereof duly authorized by the Crosslake City Council to make and execute this Declaration of Official Intent (the "Declaration") for and on behalf of the City.
2. This Declaration relates to the following project, property or program (the "Project") and the costs thereof to be financed: Proposed wastewater infrastructure improvements for revised Phase I Area as described in the Feasibility Study prepared by Widseth Smith Nolting and dated October 4, 1999 with revised cost estimates dated April 21, 2001.
3. The City reasonably expects to reimburse itself for the payment of certain costs of the Project out of the proceeds of a bond issue or similar borrowing (the "Bonds") to be issued by the City after the date of payment of such costs. As of the date hereof, the City reasonably expects that \$5,300,000 is the maximum principal amount of the Bonds, which will be issued to finance the project.
4. Each expenditure to be reimbursed from the Bonds is or will be a capital expenditure or a cost of issuance, or any of the other types of expenditures described in Section 1.1502(d)(3) of the Regulations.
5. As of the date hereof, the statements and expectations contained in this Declaration are believed to be reasonable and accurate.

Date: June 11, 2001



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City Administrator  
City of Crosslake, Minnesota

# City of Crosslake

## Public Informational Meeting Update on Sanitary Sewer Status

April 21, 2001

9:30 a.m. @ Crosslake Community Center

### *Project Budget Costs*

■ Collection system	\$2,200,000
■ Lift stations	\$725,000
■ Wastewater Treatment Facility	\$1,300,000
■ Contingency	<u>\$400,000</u>
TOTAL for construction costs	\$4,625,000

■ Administrative/Legal	\$65,000
■ Wetlands, Easements, Surveys	\$80,000
■ Engineering Design	\$250,000
■ Construction Observation	<u>\$280,000</u>

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TOTAL project budget \$5,300,000

## EXHIBIT C

### Declaration of Official Intent

The undersigned, being the duly appointed and acting City Administrator of the City of Crosslake, Minnesota (the "City") , pursuant to and for purposes of compliance with Treasury Regulations, Section 1.150-2 (the "Regulations"), under the Internal Revenue Code of 1986, as amended, hereby states and certifies on behalf of the City as follows:

1. The undersigned has been and is on the date hereof duly authorized by the Crosslake City Council to make and execute this Declaration of Official Intent (the "Declaration") for and on behalf of the City.
2. This Declaration relates to the following project, property or program (the "Project") and the costs thereof to be financed: Proposed Joint City/ County Public Works Maintenance Facility as described in the Feasibility Study prepared by Widseth Smith Nolting dated December 1999 with Revised Cost Estimates dated April 17, 2001.
3. The City reasonably expects to reimburse itself for the payment of certain costs of the Project out of the proceeds of a bond issue or similar borrowing (the "Bonds") to be issued by the City after the date of payment of such costs. As of the date hereof, the City reasonably expects that \$3,230,000 is the maximum principal amount of the Bonds, which will be issued to finance the project.
4. Each expenditure to be reimbursed from the Bonds is or will be a capital expenditure or a cost of issuance, or any of the other types of expenditures described in Section 1.1502(d)(3) of the Regulations.
5. As of the date hereof, the statements and expectations contained in this Declaration are believed to be reasonable and accurate.

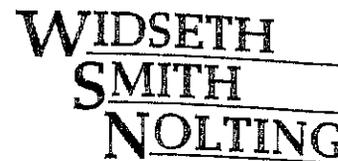
Date: June 11, 2001



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City Administrator  
City of Crosslake, Minnesota

EXHIBIT C-1



April 17, 2001

Mr. Tom Swenson, City Administrator ENGINEERS ARCHITECTS LAND SURVEYORS ENVIRONMENTAL SERVICES
City Hall
HC 83 Box 203
Crosslake, MN 56442

RE: City of Crosslake - Joint Public Works Facility

Dear Tom:

Cost estimate figures outlined in the December 1999 Joint City/County Maintenance Facility Planning Study were reviewed by WSN as discussed at the meeting last Wednesday with Duane Blanck of Crow Wing County. Proposed project phases were reviewed with respect to current bidding costs seen this spring and a 2002 construction season for the Maintenance Facility. The costs are presented in a similar phase format as the 8/4/00 letter, which is from the study. I have expanded on the breakout of costs for each phase to show where cost increases have occurred.

Phase 1

Maintenance Garage Facility with office and washbay areas (24,090 square feet total)

Table with 2 columns: Description and Cost. Rows include Maintenance Area (\$1,295,000), Office Area (\$345,000), Washbay Area (\$315,000), Site Development Costs (\$120,000), Estimated Construction Costs (\$2,075,000), Project Contingency (\$105,000), and Administrative, Legal, A/E Services (\$210,000).

TOTAL PHASE 1 PROJECT BUDGET COST = \$2,390,000

Phase 2

Fuel Storage Dispensing Island

Table with 2 columns: Description and Cost. Rows include Site Development (\$5,000), Fuel System (\$140,000), Electrical Service (\$10,000), Project Contingency (\$10,000), and Administrative, A/E Services (\$15,000).

TOTAL PHASE 2 PROJECT BUDGET COST = \$180,000

Brainerd Office:
2000 Industrial Park Rd. S.
P.O. Box 2720
Baxter, MN 56425-2720
(218) 829-5117
Fax: (218) 829-2517
Email: wsnbrd@wsn-mn.com

Mr. Tom Swenson  
April 17, 2001  
Page 2

**Phase 3**

Salt/Sand Storage Facility (17,000 ft<sup>2</sup>)

Concrete Foundation, Slab and Push Wall .....	\$ 80,000
Building Structure.....	\$250,000
Electrical Lighting and Service.....	\$ 10,000
Site Development and Drainage.....	\$ 10,000
Estimated Construction.....	\$350,000

Project Contingency .....	\$ 15,000
Administrative, A/E Services.....	\$ 35,000

TOTAL PHASE 3 PROJECT BUDGET COST = .....\$ 400,000

**Phase 4**

Equipment Cold Storage (11,250 ft<sup>2</sup>)

Concrete Slab .....	\$ 30,000
Pole Building .....	\$180,000
Electrical Service and Lighting.....	\$ 7,000
Site Development and Drainage.....	\$ 8,000
Estimated Construction.....	\$225,000

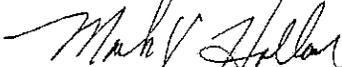
Project Contingency .....	\$ 15,000
Administrative, A/E Services .....	\$ 20,000

TOTAL PHASE 4 PROJECT BUDGET COST = .....\$ 260,000

Project contingencies were reduced down to around the 5% level as the scope and timeframe are more defined at this time. Soft costs were held fairly constant; however, they could vary depending on how many phases the City and County will combine for the first project. I would be available to meet with City and/or County personnel to review cost budget figures or address other questions.

Sincerely,

WIDSETH SMITH MOLTING



Mark Hallan, P.E.

CERTIFICATION

The undersigned, being the-duly qualified and acting City Administrator of the City of Crosslake, Minnesota, hereby certifies the following:

The foregoing is a true and correct copy of a Resolution on file and of official, publicly available record in the offices of the City, which Resolution relates to procedures of the City for compliance with certain IRS Regulations on reimbursement bonds. Said Resolution was duly adopted by the governing body of the City (the "Council") at a regular or special meeting of the Council held on June 11, 2001. Said meeting was duly called, regularly held, open to the public, and held at the place at which meetings of the Council are regularly held.

Councilmember Dean Swanson moved the adoption of the Resolution, which was seconded by Councilmember Irene Schultz

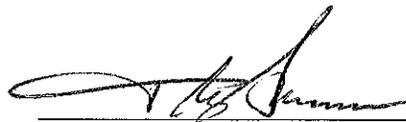
A vote being taken on the motion, the following members of the Council voted in favor of the motion to adopt the Resolution:

Swanson, Swanson, Eliason, and Schultz and the following voted against the same:

None

Whereupon said Resolution was declared duly passed and adopted. The Resolution is in full force and effect and no action has been taken by the Council which would in any way alter or amend the Resolution.

WITNESS MY HAND officially as the City Administrator of the City of Crosslake, Minnesota, this 11th day of June 2001.



---

Thomas N. Swenson  
City Administrator  
City of Crosslake, Minnesota

CITY OF CROSSLAKE  
STATE OF MINNESOTA  
COUNTY OF CROW WING  
RESOLUTION 01-25

WHEREAS, the Army Corps of Engineers issued Road Easement No. DA-21018-CIVENG-65-152 to the Village of Crosslake on February 12, 1965 for the purpose of constructing, maintaining and operating a road over Corps-managed lands within the vicinity of Ivy Lane, Crosslake, Pine River Reservoir; and

WHEREAS, the City is currently engaged in a road improvement project which includes improving Ivy Lane; and

WHEREAS, the City forwarded a copy of the sketch drawing and legal description prepared by Widseth Smith Nolting outlining the proposed easement and improvement area for the improvement of Ivy Lane; and

WHEREAS, the Corps of Engineers has reviewed the sketch drawing and legal description and has determined that an amendment to the February 12, 1965 easement is necessary in order to conform the easement description to the actual area of an improved road; and

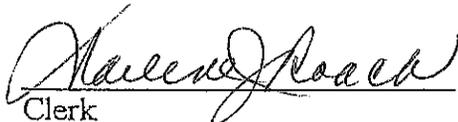
WHEREAS, the City has reviewed the proposed amendment to the easement agreement, a copy of which is attached to this Resolution as Exhibit A; and

WHEREAS, the City has determined that it is in the best interests of the City to accept and execute the attached easement agreement,

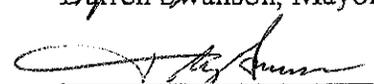
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CROSSLAKE, MINNESOTA:

The City of Crosslake City Council hereby authorizes the Mayor and City Administrator to execute the attached easement agreement.

Adopted by the City Council this 11 day of June, 2001.

  
Clerk

  
Darrell Swanson, Mayor

  
Tom Swenson, City Administrator

**DEPARTMENT OF THE ARMY  
AMENDMENT NO. 1  
TO  
EASEMENT NO. DA-21-018-CIVENG-65-152  
PINE RIVER RESERVOIR DIKESITE – MISSISSIPPI RIVER, MINNESOTA**

**THIS AMENDMENT NO. 1** made and entered into this 11<sup>th</sup> day of June, 2001, by and between the SECRETARY OF THE ARMY (hereinafter the Government), as represented by the Officer executing this Agreement, and the **City of Crosslake, Minnesota** (hereinafter the Grantee)

**WITNESSETH:**

**WHEREAS**, on the 12<sup>th</sup> day of February, 1965, the Government granted Easement No. DA-21-018-CIVENG-65-152 to the Grantee for the construction, operation and maintenance of a road/street on land at Pine River Reservoir Dikesite, Minnesota, for an indefinite term; and

**WHEREAS**, the Grantee has indicated a need to maintain and upgrade the road and has completed a more accurate legal description and site location map of the road; and

**WHEREAS**, it has been determined that it is in the best interest of the Government and the Grantee to amend said easement to reflect the new legal description and site location map.

**NOW THEREFORE**, Easement No. DA-21-018-CIVENG-65-152 is hereby amended effective May 1, 2001 in the following particulars but in no others:

a. The granting clause is amended by deleting the legal description and "as shown in red on Exhibit A" and substituting "as shown in Exhibit(s) A-1 hereinafter referred to as the premises. . ."

b. Exhibit "A-1" attached hereto is added to said easement and is made a part hereof.

Except as amended above, all other terms and conditions shall remain the same.

IN WITNESS WHEREOF, I have hereunto set my hand by authority of the  
Secretary of the Army this 11<sup>th</sup> day of June 2001.

MARK W. NELSON  
Chief, Real Estate Division  
USACE, St. Paul District

This Amendment No. 1 is hereby accepted this 11<sup>th</sup> day of June 2001.

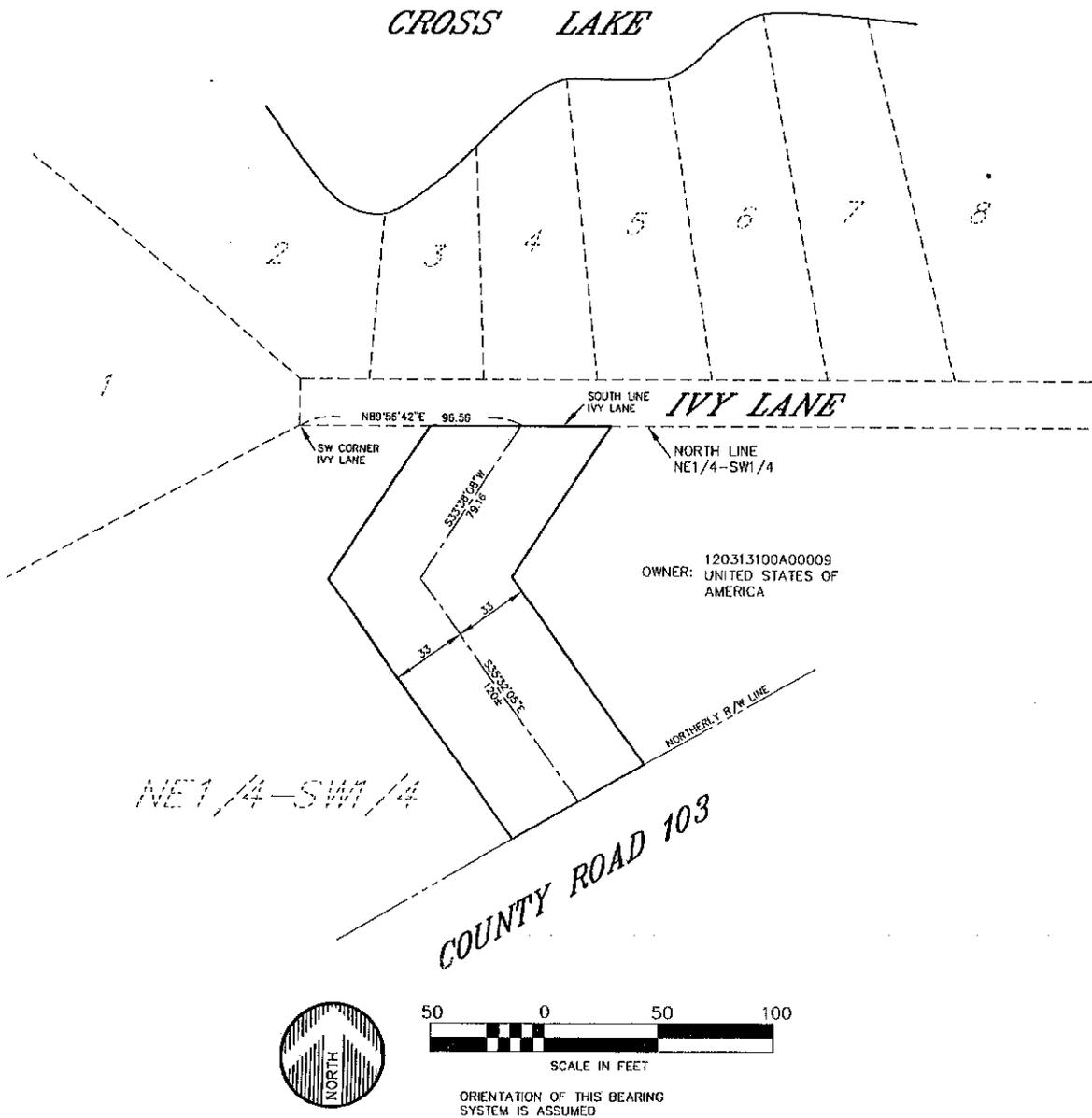
City of Crosslake

By: [Signature] MAYOR

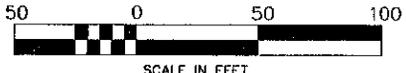
Title: [Signature] CITY ADMINISTRATOR

# SKETCH OF DESCRIPTION

PART OF THE NE1/4-SW1/4  
 SEC. 31, T.137N.,R.27W.  
 CROW WING COUNTY, MN.



OWNER: 120313100A00009  
 UNITED STATES OF AMERICA



ORIENTATION OF THIS BEARING SYSTEM IS ASSUMED

**EASEMENT DESCRIPTION:**

A 66.00 foot wide easement for public street, drainage and utility purposes over, under and across that part of the Northeast Quarter of the Southwest Quarter (NE1/4-SW1/4), Section 31, Township 137 North, Range 27 West, Crow Wing County, Minnesota, which lies 33.00 feet on each side of the following described line: Commencing at the point on the north line of said NE1/4-SW1/4 which is the southwest corner of Ivy Lane, FIRST ADDITION TO BOWERS' POINT, according to the recorded plat on record in the Crow Wing County Recorders Office, said point also being on the east line of Lot 1, said FIRST ADDITION TO BOWERS' POINT; thence North 89 degrees 56 minutes 42 seconds East, assumed bearing, 96.56 feet along said north line of the NE1/4-SW1/4 and along the south line of said Ivy Lane to the point of beginning of the line to be described; thence South 33 degrees 38 minutes 08 seconds West 79.16 feet; thence South 35 degrees 32 minutes 05 seconds East 120 feet, more or less, to the northerly right-of-way line of County Road 103 and said line there ending.

Exhibit "A-1" attached to and made a part of DA-21-018-CIVENG-65-152

**IDSETH SMITH NOLTING**  
 ENGINEERS ARCHITECTS

2000 Industrial Park Road  
 P.O. Box 2720  
 Baxter, MN. 56425  
 218-829-6117  
 LAND SURVEYORS  
 PROJECT MANAGERS

PREPARED FOR: CITY OF CROSSLAKE

DWG. NAME	IVYEASE.DWG
WSN JOB NO.	107B085
FILE NO.	6250

DEPARTMENT OF THE ARMY  
EASEMENT FOR ROAD OR STREET  
Contract No. DA-21-018-Civeng-65-152

ON PINE RIVER RESERVOIR DIKE SITE- MISSISSIPPI RIVER

OF THE LAND

IN CONNECTION OF THE VARIOUS PROJECTS

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2668 hereby grants to

Village of Crosslake, a Minnesota Municipal Corporation, Crow Wing County, Minnesota.

hereinafter designated as the grantee, an easement for a right-of-way for a road or street over, across, in, and upon lands of the United States described as follows:

Part of Government-owned Tract 91

A tract of land in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 31, Township 137 North, Range 27 West, 5th P.M., Crow Wing County, Minnesota, more specifically described as follows:

Beginning on the north line of said NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , 350 feet westerly of the northeast corner thereof; thence southeasterly at right angles to northerly line of existing highway easement for County Aid Road No. 3, 215 feet, more or less, to said northerly line; thence northeasterly along said northerly line, 66 feet; thence northwesterly, parallel to aforesaid southeasterly line, 190 feet, more or less, to the north line of said NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ ; thence westerly along said north line, 70 feet, more or less, to the point of beginning, containing 0.30 acre, more or less. as shown in red on Exhibit "A" attached hereto and made a part hereof.

THIS EASEMENT is granted subject to the following provisions and conditions:

1. The construction, use, and maintenance of said road or street, including culverts and other drainage facilities, shall be performed without cost or expense to the United States, under the general supervision and subject to the approval of the officer having immediate jurisdiction over said premises.
2. The grantee shall at all times maintain said road or street in good condition and shall promptly make all repairs thereto needed to preserve a smooth-surface highway.
3. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer, or in lieu of such repair or replacement the grantee shall, if so required by said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.
4. The use and occupation of said lands of the United States for the purposes authorized by this instrument shall be subject to such rules and regulations as the said officer may prescribe from time to time in order to properly protect the interests of the United States.
5. The United States shall in no case be liable for any damages or injuries to the said road or street which may be caused by or result from any operations undertaken by the Government, and no claim or right to compensation shall accrue from such damages or injuries.

6. The United States reserves the right to make such connections between the road or street herein authorized and roads and streets on said lands as the Chief of Engineers may from time to time consider necessary, and also reserves to itself rights-of-way for all purposes across, over, and/or under the right-of-way hereby granted; provided, however, that such rights shall be used in a manner that will not create unnecessary interference with the use and enjoyment by the grantee of said right-of-way for highway purposes.

7. It is to be understood that this instrument is effective only insofar as the rights of the United States in the property over which the said road or street is to be extended are concerned, and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

8. All or any part of such right-of-way herein granted may be terminated by the Secretary of the Army for failure to comply with any or all of the terms or conditions of this grant, or for non-use for a two-year period or abandonment of rights granted herein.

9. It is understood that the provisions of Conditions Nos. 1 and 5, supra, shall not abrogate or interfere with any agreements or commitments made or entered into between the grantee and any other agency of the United States with regard to financial aid to the grantee in connection with the construction, maintenance, or repair of the road or street described herein.

10. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, ~~or for injuries to the person of the grantee (if an individual)~~, nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to governmental activities, and the grantee shall hold the United States harmless from any and all such claims.

11. The United States shall not be responsible for damages to property or injuries to persons, which may arise from or be incident to the construction, maintenance, and use of said road or street.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this 19<sup>th</sup> day of February 1965, by direction of the Assistant Secretary of the Army.

U. S. GOVERNMENT PRINTING OFFICE 16-73036-1

WITNESS:

Catherine Trotter  
Ruth Taylor

Sherry B. Myers  
Staff Asst (Real Property)  
Mil Const and Real  
Property OASA, (L)

STATE OF VIRGINIA )  
                          ) ss.  
COUNTY OF ARLINGTON)

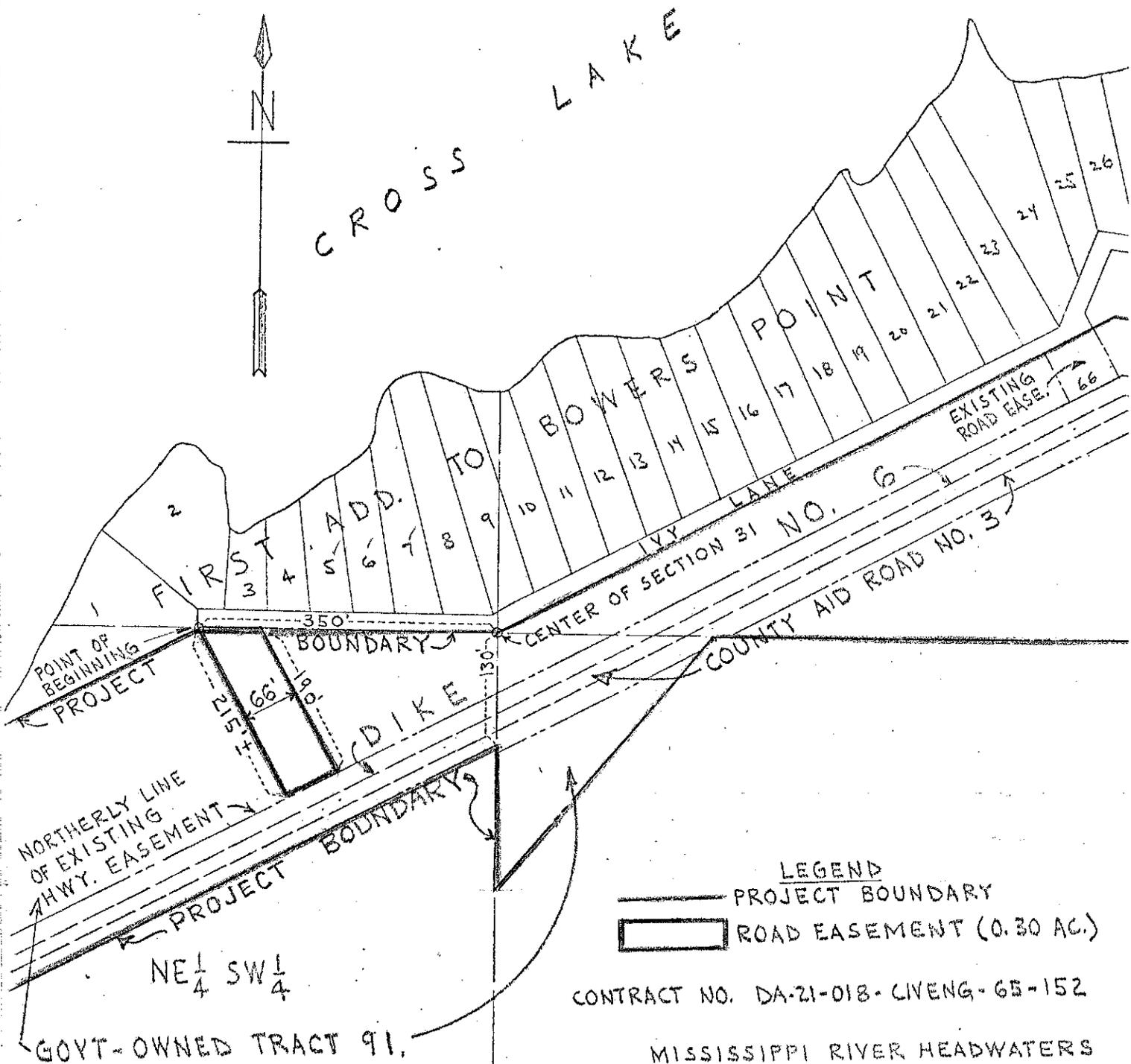
On this 12<sup>H</sup> day of February, 1965, before  
me personally appeared Sherry B. Myers, known to me to  
be the person described in and who executed the within instrument, and  
acknowledged to me that he executed the same by direction of the Assistant  
Secretary of the Army.

Given under my hand and official seal this day and year first above  
written.

A. F. Spada  
NOTARY PUBLIC  
Arlington County, Virginia

My commission expires 7/13, 1968

A. F. Spada, Notary Public  
County of Arlington  
State of Virginia  
My commission Expires 13 July 1968



SECTION 31  
 T137N - R27W - 5th P.M.  
 CROW WING COUNTY, MINN.

**EXHIBIT "A"**

**LEGEND**  
 ——— PROJECT BOUNDARY  
 [ ] ROAD EASEMENT (0.30 AC.)

CONTRACT NO. DA-21-018-LIVENG-65-152

MISSISSIPPI RIVER HEADWATERS  
 PINE RIVER RESERVOIR  
 ROAD EASEMENT TO  
 VILLAGE OF CROSSLAKE

100 0 100 200  
 SCALE IN FEET

U.S. ARMY ENGINEER DISTRICT  
 REAL ESTATE DIVISION  
 ST. PAUL, MINN  
 DEC. 1964