

**AGENDA  
REGULAR COUNCIL MEETING  
CITY OF CROSSLAKE  
MONDAY, AUGUST 26, 2013  
7:00 P.M. – CITY HALL**

**A. CALL TO ORDER**

1. Pledge of Allegiance
2. Approval of Additions to the Agenda (Council Action-Motion)

**B. CRITICAL ISSUES –**

1. Request from Property Owner to Ask Crow Wing County to Modify County Ordinance 0601 Re: ATV's (Council Action-Motion)

**C. CONSENT CALENDAR – NOTICE TO THE PUBLIC –** All items here listed are considered to be routine by the City Council and will be acted on by one motion. There will be no separate discussion on these items unless a Citizen or Councilmember so requests:

1. Special Meeting Minutes of August 9, 2013
2. Regular Meeting Minutes of August 12, 2013
3. Special Meeting Minutes of August 16, 2013
4. July 2013 Wastewater Treatment Discharge Monitoring Report
5. Letter dated August 1, 2013 from MN Department of Labor & Industry Re: Full Service Safety Consultation Survey Results
6. Internet Services Agreement Between Crosslake Communications and Emily Cooperative Telephone Company
7. Email dated August 8, 2013 from Rich Hoppe Re: Thank You for Storm Cleanup
8. Email dated August 17, 2013 from Richard Dietz Re: Manhattan Point Walking Path
9. Bills for Approval

**D. MAYOR'S REPORT**

1. Local Board of Appeal and Equalization Training

**E. CITY ADMINISTRATOR'S REPORT**

**F. COMMISSION REPORTS**

**1. PUBLIC SAFETY –**

- a. Accept Donations to Fire and Police Departments (Council Action-Motion)

**2. ECONOMIC DEVELOPMENT AUTHORITY**

- a. Patty Norgaard - Proposed EDA Budget for 2014

**3. PARK & RECREATION/LIBRARY**

- a. Letter dated August 14, 2013 from WSN RE: Community Center Sidewalk (Council Action-Motion)

**4. PUBLIC WORKS/SEWER/CEMETERY**

- a. Letter dated August 19, 2013 from WSN Re: Release of Final Retainage for 2012 Crosslake Street Improvements (Council Action-Motion)

**5. PLANNING AND ZONING**

- a. Memo dated August 13, 2013 from Crow Wing County Land Services Department Re: Local Comprehensive Water Plan Approved (Council Direction)

**G. ATTORNEY REPORT**

**H. OLD BUSINESS**

**I. NEW BUSINESS**

**J. PUBLIC FORUM**

**K. ADJOURN**

I'm a resident and property owner in Crosslake since 1989, reside at 37851 Co. Rd. 66 and own approx. 200 ft. of frontage on Co. Rd. 66, and I have a Class 2 ATV.

I hereby ask that the City of Crosslake request Crow Wing county to modify county ordinance 0601 to only apply to Class 1 ATVs

Arlen Stensby

## Key Dates -

May 15, 2006 - Crow Wing county passes ordinance 0601 prohibiting ATV's from operating on Co. Rd. 66 from Co. Rd. 3 on the south to State Hwy #1 on the north.

December 12, 2006 - MN DNR new rules, classifying ATV's as either Class 1 or Class 2 go into effect.

Ordinance 601 was drafted and passed at the request of the city of Crosslake, to prevent damage to the ditches on Co. Rd. 66, especially north of Co. Rd. 16.

Crow Wing county ordinance 601 was passed while the state of MN was revising ATV regulations, but before the state's changes went into effect.

Under the new state rules which took effect 6 1/2 months after Crow Wing county passed ordinance 601, Class 2 ATVs were prohibited from driving in ditches. Only Class 1 ATVs were still permitted to drive in ditches.

At that point, only a ban on Class 1 ATV use on Co. Rd. 66 would have been necessary.

Under MN state regulations today, Class 2 ATVs are allowed to operate on county roads, township roads and city streets, but not ditches, except when local rules impose further restrictions.

THIS PORTION OF CO. RD. 66, IS THE ONLY PART OF ANY COUNTY ROAD IN CROW WING COUNTY WITH LOCAL RESTRICTIONS ON ATV USE. All other county roads are governed by state regulations.

The damage to the ditches along Co. Rd. 66 has indeed been eliminated by the current ordinance, but banning Class 2 ATV's has no effect on that, since they are prohibited from driving in the ditches anyway.

## Allowing legal use of Class 2 ATV on Co. Rd. 66

- would NOT cause any damage to the ditches on Co. Rd. 66 since state law prohibits operation of Class 2 ATVs in ditches.
- would be in line with the state regulations and their intent as revised in 2006
- would be fair to Crosslake residents who own Class 2 ATVs by allowing their use in a manner deemed safe and practical by state regulation and in a manner allowed on ALL OTHER county roads in Crow Wing county.

**(current ordinance)**

**Section 2: Definitions**

2.1 "ATV" or "All Terrain Vehicle", means any vehicle as defined in Minnesota Statute Section 84.92 subdivision (8) as amended.

**Section 3: RESTRICTIONS**

3.1 Except as provided for in Minnesota Statutes 84.928, Subdivision 1(e) and in Section 4 of this Ordinance, it shall be unlawful for any person to operate an All Terrain Vehicle (ATV) in any County Road Right-of-Way which is closed to use by ATVs as set forth herein:

A. County State Aid Highway 66 from the Junction of County State Aid Highway 3 in the City of Crosslake to the Junction of County State Aid Highway 1 in the City of Manhattan Beach.

**(requested changes)**

**Section 2: Definitions**

2.1 "ATV" or "All Terrain Vehicle", means any vehicle as defined in Minnesota Statute Section 84.92 subdivisions (8,9,10) as amended.

**Section 3: RESTRICTIONS**

3.1 Except as provided for in Minnesota Statutes 84.928, Subdivision 1(e) and in Section 4 of this Ordinance, it shall be unlawful for any person to operate a **Class 1** All Terrain Vehicle (ATV) in any County Road Right-of-Way which is closed to use by ATVs as set forth herein:

A. County State Aid Highway 66 from the Junction of County State Aid Highway 3 in the City of Crosslake to the Junction of County State Aid Highway 1 in the City of Manhattan Beach.

**(Again note - Class 2 ATVs are prohibited from operating in ditches on all roads in the state already.).**

From the 2012-2013 State Regulation booklet for off-highway vehicles.

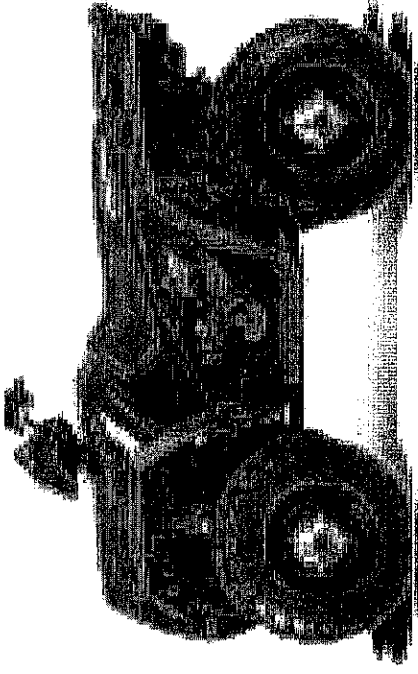
“Class 2 ATVs may be operated on the shoulder or extreme right side of county or township roads and city streets if not prohibited by the road authority or other local laws”



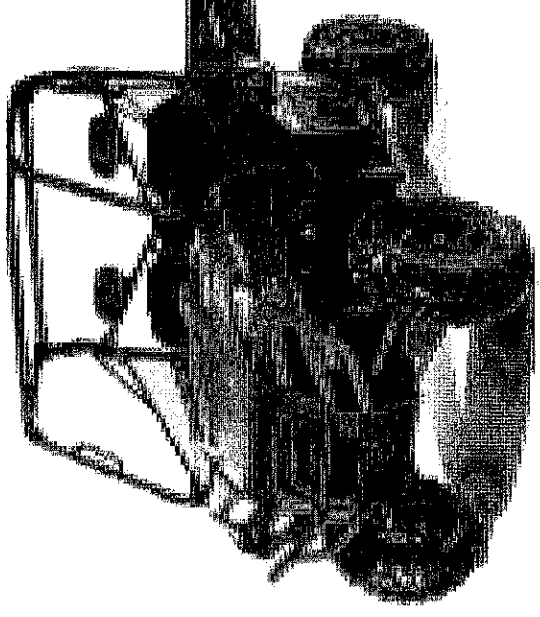
From Page 8 of current MN/DNR ATV regulation booklet-

Examples of Class 1 and Class 2  
ATVs - (Polaris 800's)

“Class 1 ATVs are motorized flotation-tired vehicles with at least three but no more than six low pressure tires that have engine displacement of less than 1000 cubic centimeters and total dry weight of less than 1000 pounds.”



“Class 2 ATVs are motorized flotation-tired vehicles with at least three, but no more than six, low pressure tires that have engine displacement of less than 1000 cubic centimeters and total dry weight of 1000 to 1800 pounds.”



SPECIAL COUNCIL MEETING  
CITY OF CROSSLAKE  
FRIDAY, AUGUST 9, 2013  
9:00 A.M. – CITY HALL

The Council for the City of Crosslake met in a Special Session on August 9, 2013 for the purpose of discussing the 2014 Budget. The following Council Members were present: Mayor Darrell Schneider, Steve Roe, Gary Heacox, John Moengen, and Mark Wessels. Also present were City Administrator/Consultant Dan Vogt, Finance Director/Treasurer Mike Lyonais, City Clerk Char Nelson, Public Works Director Ted Strand, Police Chief Bob Hartman, Community Development Director Ken Anderson, Fire Chief Chip Lohmiller, EDA President Patty Norgaard, General Manager Paul Hoge, and Echo Publishing Reporter Kate Perkins. There were no public attendees.

Mayor Schneider called the Special Council Meeting to order at 9:00 A.M. Dan Vogt thanked the Department Heads for their work in putting their department budgets together and turned the meeting over to Finance Director/Treasurer Mike Lyonais.

Mr. Lyonais reported that various requests and rates from vendors have been submitted for 2014. Labor relations services with Johnson, Killen & Seiler would increase to \$205 for labor negotiations and \$215 for other personnel matters for 2014. There will be no increase in rates in 2014 from City Attorney Brad Person. The Initiative Foundation requested an increase in contribution from \$1,100 to \$1,500 in 2014. The Chamber of Commerce has requested the same amount of funding for 2014 including \$5,000 for fireworks and \$2,000 for building maintenance. Because the City of Crosslake's high property values, the State of Minnesota will provide no local government aid in 2014.

Union contracts with both AFSCME and Teamsters have been approved for 2014 and require a 1.25% increase in union employee wages. Mr. Lyonais used 1.25% as a base increase for department heads as well, however, the Personnel Committee will be meeting to consider wage increase requests from department heads on August 12<sup>th</sup>. The City is currently obtaining health insurance quotes from various vendors.

Mr. Lyonais presented charts depicting the City's levy history, total outstanding debt, debt levy necessary to service existing obligations, outstanding principal and interest on General Obligation Bonds, and outstanding equipment certificates. Steve Roe suggested that the budget should reflect the decrease in market value.

Fire Chief Lohmiller presented a request to replace Tender 3 which is 24 years old and Engine 1 which is 17 years old. The cost to replace these two vehicles would be approximately \$500,000. Engine 1 may bring in \$100,000 on a trade in. Tender 3 has no value. John Moengen stated that he is looking into the possibility of purchasing used equipment that may be only 5 years old and still in good condition. Chief Lohmiller stated that the suspension, pumps, seals, valves, and chassis go bad on these vehicles and newer equipment has the latest technology. Many departments rebuild their vehicles, but the time to do that is when they are approximately 10 years old.

Community Development Director Ken Anderson presented the Planning and Zoning Department's request for capital outlay which included a metal detector, fire proof filing cabinet, 2013 4x4 Ford Expedition that seats 8, and a GPS – Trimble GeoExplorer 6000 (GEOXH) for locating pins and septic tanks. Mr. Anderson suggested that the GPS unit and Ford Expedition could be purchased in 2013 because of the savings in the budget by not hiring a third employee in Planning and Zoning. Mr. Anderson asked the Council to hire a third employee for the department that could focus on minute taking and issuing permits. John Moengen asked if field inspections could be done by an outside source so that the Planning and Zoning employees could remain in the office.

Chief Hartman's capital outlay budget for 2014 for the Police Department included a new squad car. Crown Victoria's are no longer being produced. The Dodge Charger was not well liked by the public safety community. The Police Department plans on purchasing the new Ford Taurus squad. As police departments switch squad types, new equipment needs to be purchased as well because they are not compatible with each other.

Ted Strand presented his capital outlay requests to the Council which included \$200,000 for a new plow truck. John Moengen stated that he and Mr. Strand have been looking for a demo or used truck in order to save money.

Mayor Schneider stated that there may be an expense in 2014 to conduct a feasibility study on Phase 2 of the Municipal Sewer System. Steve Roe asked if any grants were available for sewer expansion projects. Mr. Schneider would also like to see an amount in the budget for rewriting the Land Use Ordinance.

The next meeting for the Council to consider the 2014 Budget will be held August 16, 2013 at 9:00 A.M. There being no further business at 11:15 A.M., MOTION 08SP1-01-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY DARRELL SCHNEIDER TO ADJOURN THE MEETING. MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,

Charlene Nelson  
City Clerk

Deputy Clerk/Minutes/8-9-13

REGULAR COUNCIL MEETING  
CITY OF CROSSLAKE  
MONDAY, AUGUST 12, 2013  
7:00 P.M. – CITY HALL

The Council for the City of Crosslake met in the Council Chambers of City Hall on Monday, August 12, 2013. The following Council Members were present: Mayor Darrell Schneider, Steve Roe, Gary Heacox, John Moengen and Mark Wessels. Also present were City Administrator/Consultant Dan Vogt, City Clerk Char Nelson, Public Works Director Ted Strand, Park and Recreation Director Jon Henke, General Manager Paul Hoge, Finance Director/Treasurer Mike Lyonais, Community Development Director Ken Anderson, Police Chief Bob Hartman, City Attorney Brad Person, City Engineer Dave Reese, and Echo Publishing Reporter Kate Perkins. There were approximately eight people in the audience.

**A. CALL TO ORDER** – Mayor Schneider called the Regular Council Meeting to order at 7:00 P.M. The Pledge of Allegiance was recited. MOTION 08R1-01-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY GARY HEACOX TO APPROVE THE ADDITIONS TO THE AGENDA. MOTION CARRIED WITH ALL AYES.

**B. CRITICAL ISSUES –**

1. Cindy Myogeto of the Brainerd Lakes Chamber of Commerce reported that Crosslake Days would take place September 26 – 28, 2013. Festivities will include a treasure hunt, crowning of royalty, chili cook-off, car show, candlelight tour, fire department open house, and artisans fair.

**C. CONSENT CALENDAR** – MOTION 08R1-02-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY MARK WESSELS TO APPROVE THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR EXCLUDING ITEMS #1 AND #2 WHICH WERE REMOVED AT STEVE ROE'S REQUEST: (1.) REMOVED; (2.) REMOVED; (3.) CITY COUNCIL REGULAR MEETING MINUTES OF JULY 22, 2013; (4.) CROSSLAKE COMMUNICATIONS – BALANCE SHEET AND INCOME STATEMENT/DETAIL OF RESERVE BALANCES DATED JUNE 30, 2013; (5.) CROSSLAKE COMMUNICATIONS CHECK REGISTER DATED 6/1/13-6/30/13; (6.) CROSSLAKE COMMUNICATIONS REGULAR MEETING MINUTES OF JULY 30, 2013; (7.) CROSSLAKE COMMUNICATIONS CUSTOMER COUNTS; (8.) PLEDGED COLLATERAL REPORT FROM MIKE LYONAIIS AND PLEDGE UPDATES; (9.) CROSSLAKE PARK/LIBRARY COMMISSION MEETING MINUTES OF JUNE 26, 2013; (10.) POLICE REPORT FOR CROSSLAKE – JULY 2013; (11.) POLICE REPORT FOR MISSION TOWNSHIP – JULY 2013; (12.) LETTER DATED JULY 16, 2013 FROM CROW WING COUNTY ATTORNEY RE: 2014 PROSECUTION CONTRACT; (13.) FIRE DEPARTMENT REPORT – JULY 2013; (14.) NORTH MEMORIAL AMBULANCE RUN REPORT – JULY 2013; (15.) CITY-COUNTY-TOWNSHIP ROADWAY MAINTENANCE AND CONSTRUCTION COORDINATION MEETING MINUTES OF JULY 29, 2013; (16.) CROSSLAKE ROLLOFF RECYCLING REPORT FOR JULY 2013; (17.) PLANNING AND ZONING PERMIT SUMMARY FOR JULY 2013; (18.) LAND USE PLANNING WORKSHOPS NOTICE FROM MN GTS; (19.) EDA MEETING MINUTES OF JULY 10, 2013; (20.) CROW WING COUNTY HISTORICAL SOCIETY

NEWSLETTER – SUMMER 2013; (21.) MEMO DATED AUGUST 8, 2013 FROM CHAR NELSON RE: LANDSCAPE CONTRACTORS/EXCAVATORS LICENSE; (22.) BILLS FOR APPROVAL DATED 8/12/13; AND (23.) ADDITIONAL BILLS FOR APPROVAL DATED 8/12/13. MOTION CARRIED WITH ALL AYES.

Steve Roe requested that Items (1.) City – Month End Revenue Report dated July 2013 and Item (2.) City – Month End Expenditure Report dated July 2013 be removed from the Consent Calendar and be open for discussion. Mr. Roe asked why the City is over budget according to the Expenditure Report. Finance Director/Treasurer Mike Lyonais asked for a specific line item to review and suggested that timing of bond payments and capital outlay purchases could affect the overall number. John Moengen cited that the Ambulance Addition project is at a negative balance because there was no budget for that project. Steve Roe stated that he is very concerned about the expenses and revenues for 2013. Mayor Schneider recommended that Mr. Lyonais give a report to the Council at Friday's budget meeting regarding this matter. MOTION 08R1-03-13 WAS MADE BY MARK WESSELS AND SECONDED BY GARY HEACOX TO APPROVE CONSENT CALENDAR ITEMS (1.) CITY – MONTH END REVENUE REPORT DATED JULY 2013 AND (2.) CITY – MONTH END EXPENDITURE REPORTS DATE JULY 2013. MOTION CARRIED 4-1 WITH ROE OPPOSED.

#### **D. MAYOR'S REPORT**

1. A memo dated July 31, 2013 from Minnesota Revenue regarding Local Boards of Appeal and Equalization Trained Member Clarification was included in the packet for review. The memo stated that jurisdiction members must be trained by December 1<sup>st</sup> the prior year and be present at the meeting to avoid losing their certification for 1-2 years. Mayor Schneider stated that he received training earlier in the year and urged the other Council Members to attend training.
2. Mayor Schneider reported that the DNR and WAPOA are researching what can be done to stop the spread of Zebra Mussels and Milfoil.
3. Mayor Schneider requested that an amount be included in the 2014 Budget for reviewing the Land Use Ordinance in order to eliminate unenforceable ordinances.

#### **E. CITY ADMINISTRATOR'S REPORT**

1. Dan Vogt reported that he is in the process of updating the Data Requests and Data Practices Policy and Procedure for the City of Crosslake. He would like to contact the League of MN Cities to determine recent law changes and blend the Crosslake and Little Falls documents to come up with an up-to-date version of the Data Practices Policy and Procedures for future use when such requests are made. The intent is to give staff and the public guidance when more substantial data requests are made. The Council will need to decide whether to charge for data requests. MOTION 08R1-04-13 WAS MADE BY STEVE ROE AND SECONDED BY GARY HEACOX TO APPROVE RESOLUTION NO. 13-14 APPOINTING A RESPONSIBLE AUTHORITY AND DATA PRACTICES COMPLIANCE OFFICIAL AND ASSIGNING DUTIES. MOTION CARRIED WITH ALL AYES. It was the consensus of the Council to appoint Mike Lyonais as Administration Department Designee on page 2 of the City's current Guide for Members of the Public Requesting Information.

2. Dan Vogt reported that he has completed updating the department head job descriptions and that the department heads were satisfied with the language. Ken Anderson told Mr. Vogt before the meeting that he was not satisfied with the updated job description for the Community Development Director and Mr. Vogt requested that the Community Development Director job description be pulled from the agenda for further review. There was some confusion as to whom the department heads report to. Mr. Vogt suggested that the job descriptions read, "Works under the administrative supervision of the City Council or designee." This would clarify that department heads report to Mr. Vogt as long as he is City Administrator/Consultant for the City. Other changes included removing redundancies, eliminating tasks and simplifying the language. Mr. Vogt changed Jon Henke's title to include Director of Library. MOTION 08R1-05-13 WAS MADE BY MARK WESSELS AND SECONDED BY JOHN MOENGEN TO APPROVE JOB DESCRIPTIONS FOR POLICE SERGEANT, POLICE CHIEF/EMERGENCY MANAGEMENT DIRECTOR, DIRECTOR OF PARKS, RECREATION AND LIBRARY, FIRE CHIEF, AND PUBLIC WORKS DIRECTOR AS PRESENTED AND TO ADDITIONALLY CHANGE ALL DEPARTMENT HEAD JOB DESCRIPTIONS TO INCLUDE, "WORKS UNDER THE ADMINISTRATIVE SUPERVISION OF THE CITY COUNCIL OR DESIGNEE." MOTION CARRIED 4-1 WITH ROE OPPOSED.

## **F. COMMISSION REPORTS**

### **1. PARK AND RECREATION/LIBRARY**

- a. Jon Henke gave an update on Community Center activities including the annual book sale, aerobics, senior meals, Silver Sneakers program, attendance, junior golf program, AAA classes, the Chautauqua program, pickleball, tennis court construction and parking lot plans. WSN is working on a plan for the Community Center sidewalk.

### **2. CROSSLAKE COMMUNICATIONS**

- a. Paul Hoge reported that the Crosslake Communications Advisory Board requested that the Council establish a downgrade fee of \$15 for high speed internet service. Some customers want their service turned off and on to coincide when they are at their cabins. Mr. Hoge hopes that the implementation of the fee will discourage this practice. Customers will also be required to have service for a minimum of one month. MOTION 08R1-06-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY MARK WESSELS TO ESTABLISH A DOWNGRADE FEE OF \$15 FOR HIGH SPEED INTERNET AND REQUIRE CUSTOMERS HAVE SERVICE FOR A MINIMUM OF ONE MONTH. MOTION CARRIED WITH ALL AYES.

Crosslake Communications is working with Crow Wing Power to research the feasibility of installing two ducts for the Phase III Fiber project while Crow Wing Power is boring the road. The Customer Open House is scheduled for August 14<sup>th</sup>.

### **3. PLANNING AND ZONING**

- a. The Council considered a recommendation from the Planning and Zoning Commission to initiate enforcement action to require removal of a nonconforming

recreational vehicle at 14095 Norway Trail. The property owners were previously contacted last year about construction of a deck without a permit and removing the camper trailer from the site since it encroached into the septic and road right-of-way setbacks. The camper was removed from the site over the winter and has been returned to the same location. MOTION 08R1-07-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY GARY HEACOX TO DIRECT THE PLANNING AND ZONING DEPARTMENT TO INITIATE ENFORCEMENT ACTION TO REQUIRE OWNERS OF 14095 NORWAY TRAIL TO REMOVE NONCONFORMING RECREATIONAL VEHICLE. MOTION CARRIED WITH ALL AYES.

- b. The Council reviewed an ordinance amendment to allow fences 96 inches in height between the road right-of-way structure setback and no closer than 10 feet to the road right-of-way versus the current standard which allows a fence no greater than 36 inches in height and split rail fences no greater than 48 inches in height. The revised language applies to fences in nonresidential zoning districts only. Existing fences would be grandfathered in. MOTION 08R1-08-13 WAS MADE BY MARK WESSELS AND SECONDED BY JOHN MOENGEN TO APPROVE ORDINANCE NO. 314 REGARDING FENCE HEIGHTS IN NONRESIDENTIAL DISTRICTS. MOTION CARRIED WITH ALL AYES.

MOTION 08R1-09-13 WAS MADE BY MARK WESSELS AND SECONDED BY JOHN MOENGEN TO APPROVE THE PUBLICATION OF ORDINANCE 314 IN SUMMARY FORM IN THE OFFICIAL NEWSPAPER. MOTION CARRIED WITH ALL AYES.

#### **4. PERSONNEL**

- a. MOTION 08R1-10-13 WAS MADE BY MARK WESSELS AND SECONDED BY JOHN MOENGEN TO MOVE MELISSA LARSON OF CROSSLAKE COMMUNICATIONS FROM STEP 2 TO STEP 3 ON THE IBEW UNION CONTRACT EFFECTIVE MAY 7, 2013 FOLLOWING A SATISFACTORY PERFORMANCE REVIEW. MOTION CARRIED WITH ALL AYES.
- b. MOTION 08R1-11-13 WAS MADE BY STEVE ROE AND SECONDED BY MARK WESSELS TO NAME HARLAN JOHNSON AS AGENT OF RECORD FOR THE CITY OF CROSSLAKE EMPLOYEE BENEFITS AT A COST OF \$19 PER EMPLOYEE PER MONTH. MOTION CARRIED WITH ALL AYES.
- c. MOTION 08R1-12-13 WAS MADE BY GARY HEACOX AND SECONDED BY STEVE ROE TO APPROVE RESOLUTION NO. 13-15 DESIGNATING ALL CITY OWNED BUILDINGS, VEHICLES, AND EQUIPMENT AS SMOKE FREE. MOTION CARRIED WITH ALL AYES.

#### **G. CITY ATTORNEY REPORT**

1. The Council reviewed an ordinance amendment of the administration rules of the City relating to boards and commissions. MOTION 08R1-13-13 WAS MADE BY MARK WESSELS AND SECONDED BY JOHN MOENGEN TO APPROVE ORDINANCE NO. 315 RELATING TO BOARDS AND COMMISSIONS AS PRESENTED WITH THE FOLLOWING CHANGES: REMOVE THE SECOND SENTENCE IN ITEM (i) REFERRING TO CITY COUNCIL MINUTES AND CLARIFY THAT MINUTES ARE

REQUIRED FOR ALL CITY BOARDS AND COMMISSIONS. MOTION CARRIED  
WITH ALL AYES.

**H. OLD BUSINESS** – None.

**I. NEW BUSINESS** – None.

**J. PUBLIC FORUM** – Cyndi Perkins of Crosslake Communications addressed the Council and requested that the City provide her a written response on its position of the comparison of the Finance Director/Treasurer and Crosslake Communications Accountant positions. Ms. Perkins also stated that the City Clerk job description names the Clerk as the Responsible Authority.

**K. ADJOURN** – MOTION 08R1-14-13 WAS MADE BY MARK WESSELS AND  
SECONDED BY DARRELL SCHNEIDER TO ADJOURN THE MEETING AT 8:30 P.M.  
MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,

Charlene Nelson  
City Clerk

Deputy Clerk/Minutes/8-12-13



SPECIAL COUNCIL MEETING  
CITY OF CROSSLAKE  
FRIDAY, AUGUST 16, 2013  
9:00 A.M. – CITY HALL

The Council for the City of Crosslake met in a Special Session on August 16, 2013 for the purpose of discussing the 2014 Budget. The following Council Members were present: Mayor Darrell Schneider, Steve Roe, Gary Heacox, John Moengen, and Mark Wessels. Also present were City Administrator/Consultant Dan Vogt, Finance Director/Treasurer Mike Lyonais, City Clerk Char Nelson, Public Works Director Ted Strand, Police Chief Bob Hartman, Community Development Director Ken Anderson, Fire Chief Chip Lohmiller, Parks Director Jon Henke, EDA President Patty Norgaard, and General Manager Paul Hoge. There were no public attendees.

Mayor Schneider called the Special Council Meeting to order at 9:00 A.M. and turned the meeting over to Finance Director/Treasurer Mike Lyonais.

Mr. Lyonais responded to Steve Roe's request at the Regular Meeting of August 12<sup>th</sup> of wanting to know why the City was over budget in July by showing the last few years' Expenditure reports as of July 31. The City was in the 70% range for expenses in 2010, 2011 and 2012 as well. This is due to the timing of bond payments and capital outlay purchases. Mr. Lyonais will begin reviewing the expense and revenue reports with the Council on a quarterly basis. Steve Roe asked the balance of the reserve accounts. Mr. Lyonais displayed the breakdown of the reserve accounts and noted that there is no specific detail pertaining to the use of the funds.

Mike Lyonais reported that no suggestions or comments were received since the prior budget meeting, so all documents pertaining to the budget remained the same. Dan Vogt stated that the Council could set the levy now and have until December to reduce it. A discussion ensued regarding the possibility of keeping the levy the same even though the debt will decrease and use that \$70,000 difference for some of the capital outlay requests.

Ken Anderson addressed the Council and requested that the GPS unit and Ford Expedition be purchased now because the Planning and Zoning Department is under budget because a third employee has not been hired to fill the vacant position.

Mike Lyonais presented Market Value rates for the last few years which showed a steady decline. Mr. Lyonais asked for direction and input on where the Council wants the levy to be. Mark Wessels stated that he would like to keep the levy close to where it has been for the last few years. Steve Roe stated that the Council should review the 2013 capital outlay expenses and determine where that funding was coming from. Mark Wessels noted that the City could sell excess property and equipment to increase revenue. Mayor Schneider stated that he would like the levy rate to stay the same. It was the consensus of the Council to set a Special Meeting on August 29, 2013 at 3:00 P.M. to further discuss the 2014 Budget and review Market Value information from the County for 2014. Mark Wessels requested that the EDA budget proposal be added to the capital outlay report because it is a new item this year.

There being no further business at 10:45 A.M., MOTION 08SP2-01-13 WAS MADE BY JOHN MOENGEN AND SECONDED BY MARK WESSELS TO ADJOURN THE MEETING. MOTION CARRIED WITH ALL AYES.

Respectfully submitted by,

Charlene Nelson  
City Clerk

Deputy Clerk/Minutes/8-16-13

DRAFT

Month:

JULY

Year:

2013

\* Values reported as BDL and 0 should be reported as "&lt;" the lab reportable limit.

DATE	DAY OF WEEK	PRECIPITATION (INCHES)	INFLUENT FLOW (MGD)	EFFLUENT FLOW (MGD)	INFLUENT CBOD5 (mg/L)	EFFLUENT CBOD5 (mg/L)	PERCENT REMOVAL (CBOD5)	EFFLUENT CBOD5 (kg/day)	INFLUENT TSS (mg/L)	EFFLUENT TSS (mg/L)	PERCENT REMOVAL TSS (%)	EFFLUENT TSS (kg/day)	INFLUENT pH	EFFLUENT pH	INFLUENT PHOSPHORUS (mg/L)	EFFLUENT PHOSPHORUS (mg/L)	EFFLUENT PHOSPHORUS (kg/day)	EFFLUENT AMMONIA (mg/L)	EFFLUENT D.O. (mg/L)	FECAL COLIFORM (number/100 ml)	EFFLUENT CHLORINE (mg/L)
1	MON	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
1	MON		0.07	0.07									7.5	6.6					1.55		
2	TUE		0.62	0.59	250	2.8	98.88	0.77632	141	4	97.163121	1.10376	7.4	6.6	7.44	0.163	0.0449782		1.23	1	
3	WED		0.81	0.073			#DIV/0!	0			#DIV/0!		7.4	6.6					1.07		
4	THUR		0.095	0.078									7.4	6.5					1.07		
5	FRI		0.085	0.071									7.5	6.6					0.7		
6	SAT	0.2	0.097	0.081									7.4	6.7					0.37		
7	SUN		0.103	0.09									7.5	6.5					0.11		
8	MON		0.08	0.068									7.4	6.6					0.45		
9	TUE	0.42	0.055	0.044									7.4	6.6					0.51		
10	WED		0.05	0.042	180	2.4	98.666667	0.662256	78.8	4	94.9238579	1.10376	7.5	6.6	5.94	0.229	0.06319026		0.43	1	
11	THUR		0.05	0.035									7.5	6.5					0.59		
12	FRI	0.02	0.05	0.04									7.5	6.4					0.86		
13	SAT		0.061	0.051									7.5	6.2					1.18		
14	SUN	1.88	0.074	0.063									7.5	6.1					0.7		
15	MON	0.02	0.063	0.052									7.4	6.3					0.37		
16	TUE		0.051	0.041									7.4	6.3					0.8		
17	WED		0.051	0.049	320	2	99.375	0.55188	105	4	96.1904762	1.10376	7.4	6.3	7.25	0.18	0.0496692		0.91	1	
18	THUR		0.048	0.05									7.4	6.2					0.75		
19	FRI		0.052	0.045									7.4	6.3					1.07		
20	SAT		0.063	0.053									7.5	6.4					0.91		
21	SUN	0.23	0.074	0.063									7.5	6.3					1.12		
22	MON		0.066	0.057									7.4	6.2					0.8		
23	TUE		0.055	0.044									7.5	6.6					0.8		
24	WED	0.05	0.055	0.045	320	2.3	99.28125	0.634662	351	4	98.8605989	1.10376	7.5	6.3	8.8	0.195	0.0538083		1.55	1	
25	THUR	0.34	0.058	0.046									7.5	6.2					1.23		
26	FRI		0.061	0.045									7.5	6.1					1.02		
27	SAT		0.066	0.057									7.5	6.1					1.07		
28	SUN		0.079	0.068									7.5	6.1					1.07		
29	MON	0.05	0.064	0.055									7.5	6					0.86		
30	TUE		0.057	0.047									7.5	6.1					0.75		
31	WED		0.053	0.043	270	2	99.2592593	0.55188	179	4	97.7653631	1.10376	7.5	6.1	7.76	0.201	0.05546394		1.02	1	
Total		3.210	2.029	1.725	1340.000	11.500		3.173	854.800	20.000		5.519			37.190	0.988	0.267	0.000			0.000

443 Lafayette Road N.  
St. Paul, Minnesota 55155  
www.dli.mn.gov



(651) 284-5005  
1-800-342-5354  
TTY: (651) 297-4198

August 1, 2013

Mr Ted Strand  
Public Works Director  
City of Crosslake Public Works  
37028 County Rd 66  
Crosslake, MN 56442

Dear Mr Ted Strand:

In response to your request, Ed Lafavor conducted a Full Service Safety consultation survey at your site on July 29, 2013. Enclosed is a report that includes the identified serious hazards, projected schedule for correction, and a *Hazard Correction Form* used to record the corrective actions on the identified hazards. Please use Visit Number 506634088 when referencing this report.

The *Hazard Correction Form* should be completed on-line at <https://secure.doli.state.mn.us/hazards/> utilizing the visit number 506634088 and this visit key 25089. If you do not have computer access the form can be mailed or faxed to us. Diligence in timely abatement correction and reporting is an expected component of the consultation process.

It is imperative that you meet the above requirements because Workplace Safety Consultation activity can affect Minnesota OSHA Compliance inspections. A consultation can affect the priority of a *programmed* OSHA Compliance safety or health inspection; however, an *unprogrammed* compliance inspection, which includes accidents, complaints, referrals and follow-ups, takes priority over a consultation in progress. With written verification, the changed priority can begin 10 business days prior to the scheduled visit date. It expires on the latest correction due date indicated on the *Hazard Correction Form*.

If needed, an employer must submit a written request with information on interim protection for an extension prior to the due date, ensuring adequate time for Workplace Safety Consultation review. If the request is approved, the "in progress" time frame is extended and a letter granting the extension will be sent, indicating the new correction date. If the request is denied, the "in progress" time frame remains as originally indicated. In the event of a *programmed* inspection, Minnesota OSHA Compliance will need to see written verification of any "in progress" consultation activity before withdrawing from this planned inspection.

It must be noted that a Compliance Officer is not legally bound by the advice we have given you, or by any failure on our part to point out any specific hazards, nor are they bound by our hazard classifications. You may, but are not required to, furnish a copy of this report to the Compliance Officer.

The report contains recommendations about how to: correct identified hazards, prevent their recurrence, and improve management practices for ongoing, systematic hazard prevention. This helps to ensure your program's effectiveness in preventing worker injuries and illnesses. We encourage you to inform your employees of the action you take. This knowledge will help them to do their part to maintain a safe and healthful workplace and it will let them know of your concern for their welfare.

Thank you for seeking our assistance. If you need additional information, we encourage you to contact us at (651) 284-5060.

Sincerely,

A handwritten signature in cursive script that reads "Roslyn C. Robertson".

Roslyn C. Robertson  
Workplace Safety Consultation Director

**MNOSHA Workplace Safety Consultation Program**  
**Workplace Safety Consultation Report**

For

City of Crosslake Public Works  
37028 County Rd 66  
Crosslake, MN 56442  
Visit Number: 506634088

Submitted By:

Ed Lafavor  
Department of Labor and Industry  
Workplace Safety Consultation  
443 Lafayette Road North  
St Paul, MN 55155  
Phone: (651) 284-5060  
Fax: (651) 284-5739  
1-800-657-3776

## INTRODUCTION

At the request of Mr Ted Strand, Public Works Director, a Full Service Safety hazard survey was conducted with City of Crosslake Public Works at 37028 County Rd 66, Crosslake, MN 56442, on July 29, 2013 by Ed Lafavor from the Minnesota Department of Labor and Industry.

The observed hazards detailed in this report are identified by item number and are referenced to the appropriate OSHA standards.

A **Serious** hazard is a condition that could result in an injury or illness that causes prolonged or temporary impairment of the body or substantially reduces efficiency on or off the job. Examples of such injuries are amputations, fractures, deep cuts involving significant bleeding, disabling burns, and concussions. Included under serious hazard is **Imminent Danger**. These are hazards that can reasonably be expected to cause death or serious physical harm immediately or before this written report is received. Any such hazards would have been corrected immediately, and no correction dates or correction method would appear in the *Report of Hazards Found*.

Hazards identified as **Serious** must be corrected by the correction due date and written notification of how the hazards were corrected must be sent to us by that date. An extension of the time frame set for the correction of the serious hazards may be requested in writing if you have made a good faith effort to correct the hazards, show that the delay was beyond your control, and give assurance that interim safeguards are in use to protect employees from the hazards.

**Other-Than-Serious** hazards, as defined by OSHA, lack the potential for causing serious physical harm, but could have a direct impact on employee safety and health. We encourage you to correct these hazards.

**Regulatory** hazards reflect violations of OSHA posting requirements, record-keeping requirements, and reporting requirements as found in 29 CFR 1903 and 1904. We encourage you to correct these hazards.

## OVERVIEW OF CONSULTATION ACTIVITIES

This survey included an opening conference, a walk-through of the work site, city public works garage, and a closing conference. The opening conference was held with: Ted Strand, Public Works Director; Jory Danielson, Asst Highway Maintenance Supervisor. The opening conference included a review of the Consultation Program and the employer's obligation to correct any items classified as "serious" under current OSHA standards.

The walk-through included a survey of the entire facility. Jory Danielson accompanied Mr Ted Strand, Public Works Director and the consultant during the walk-through. In addition, 2 company employees were interviewed during the consultation survey. During the closing conference, attended by: Ted Strand, Public Works Director; Jory Danielson, Asst Highway Maintenance Supervisor, a review of the hazards identified during the survey was conducted. After a discussion of the recommended abatement procedures, the time frame for correction of serious hazards was agreed to by the employer's authorized representative and the consultant. Findings of the safety and health management system evaluation were also discussed, and recommendations were provided for some management elements requiring further improvement.

## SUB-CONTRACTORS

None

### NOTICE OF OBLIGATION

As you know, we are required to notify the Occupational Safety and Health Administration (OSHA) if serious hazards are not corrected within the required time(s). Extensions may be granted if you encounter difficulties completing correction within these time frames, but we must receive your request for an extension, in writing, before the correction due date.

**Should you need an extension for one or more hazard items, you can use the bottom section of each hazard item listed in the *Hazard Correction Form* to make that request. Please see the guidelines listed in the *Hazard Correction Form* page.** Extension requests shall be documented on The *Hazard Correction Form*, which can be completed on-line at <https://secure.doli.state.mn.us/hazards/> utilizing the visit number 506634088 and this visit key 25089. If you do not have computer access, the form can be mailed or faxed to us.

Although we are not required to notify OSHA if other-than-serious hazards are not corrected, these hazards could result in injury to your employees. Moreover, your company would be subject to citation for them in the event of an OSHA enforcement inspection.

In the event of an OSHA inspection, it is important to remember that the Compliance Officer is not legally bound by the consultant's advice or by the consultant's failure to point out a specific hazard. You may, but are not required to, furnish a copy of this report to the Compliance Officer, who may use it to determine your good faith efforts toward safety and health and reduce any proposed penalties. You are, however, required to furnish any employee exposure data from this report as required by 29 CFR 1910.1020.

## Attachment - Report of Hazards Found

---

Item: **0001** Instance: **A**  
Standard: **1910.334(a)(2)(i)**

Hazard Type: **Serious**  
Correction Due Date: **Imm. Abated**

---

Description: 29 CFR 1910.334(a)(2)(i): Portable cord- and plug- connected electric equipment and flexible cord sets (extension cords) were not visually inspected before use on any shift for external defects (such as loose parts, deformed and missing pins, or damage to outer jacket or insulation) and for evidence of possible internal damage (such as pinched or crushed outer jacket):

Yellow extension cord in garage has the outer sheathing damaged.

Recommended Action: Public Works Director cut the plug off this cord. Inspect all cords daily.

---



## **Attachment - Hazard Correction Form**

Use copies of this form to send documentation of your hazard correction to the Workplace Safety Consultation unit. For each item in the report classified as "serious", complete one of the following hazard correction sections and fax or mail a copy to the consultant at the following address, on or before the correction due date.

As you know, we are required to notify MNOSHA Compliance if serious hazards are not corrected within the agreed-upon time. Extensions may be granted if you encounter difficulties completing the required corrections within the mutually agreed upon time frames.

**Should you need an extension for one or more hazard items, you can use the bottom section of each hazard item listed in the Hazard Correction Form to make the request. Please see the guidelines listed in the Hazard Correction Form page.** Extension requests shall be documented on the Hazard Correction Form, which should be completed on-line at <https://secure.doli.state.mn.us/hazards/> utilizing the visit number 506634088 and your unique code 25089. If you do not have computer access, the form can be mailed or faxed to us.

Although we are not required to notify MNOSHA if other-than-serious hazards are not corrected, these hazards should also be corrected because they can result in injury to your employees. Your company also would be subject to citations for them in the event of a MNOSHA Compliance inspection.

Ed Lafavor  
Workplace Safety Consultant

Department of Labor and Industry  
Workplace Safety Consultation  
443 Lafayette Road North  
St. Paul, MN 55155-4311  
Email: [osha.consultation@state.mn.us](mailto:osha.consultation@state.mn.us)  
Phone: (651) 284-5060  
Fax: (651) 284-5739  
1-800-657-3776

**The Hazard Correction Form should be completed on-line at <https://secure.doli.state.mn.us/hazards/> utilizing the visit number 506634088 and this unique visit key 25089. If you do not have computer access, the form can be mailed or faxed to us.** Diligence in timely abatement correction and reporting is an expected component of the consultation process.

City of Crosslake Public Works - Visit # 506634088  
Date of Visit - 07/29/2013

Employer Signature/Title: \_\_\_\_\_

## **Safety and Health Program Management**

During the on-site visit, the consultant is required to review and discuss the components that make up an effective safety and health management system. The tool that is used for this assessment is referred to as the Safety and Health Program Assessment Worksheet. The assessment contains safety management attributes that are derived from the 1989 OSHA Safety and Health Program Management Guidelines. Each attribute that is evaluated is documented and given a score that is an indication of the attribute's effectiveness. The findings and improvement recommendations, for each attribute evaluated, are based on the findings obtained during the consultation and the consultant's professional judgment. Evaluations are based on interviews with employees, observed workplace activities and conditions, and documentation review.

A copy of the assessment worksheet, for your work-site, is included as part of this report. Some attributes may be left blank if the consultant is unable to obtain enough information to determine a score for that attribute. Please take the time to review the assessment information. Improving attributes that received a low score may help you avoid the recurrence of hazards that were noted during the visit and prevent the occurrence of other hazards.

**Attachment - List of Hazards  
Minnesota Department of Labor & Industry  
Workplace Safety Consultation**

**List of Hazards**

This *List of Hazards* must be posted, unedited, in a prominent place where it is readily observable by all affected employees for 3 working days, or until the hazards are corrected, whichever is later.

**VISIT NUMBER: 506634088  
VISIT DATE: 07/29/2013**

City of Crosslake Public Works  
37028 County Rd 66  
Crosslake, MN 56442

This is a notification of serious hazards identified during the consultation visit. **This notification is not a citation.** City of Crosslake Public Works is a voluntary participant in the consultation program and has agreed to correct the hazards on this list within the correction due date specified. City of Crosslake Public Works has also agreed to make information on other-than-serious hazards as well as corrective action proposed by the consultant available to you upon request.

---

Item: **0001**  
Standard: **1910.334(a)(2)(i)**

Instance: **A**  
Correction Due Date: **Imm. Abated**

Description: 29 CFR 1910.334(a)(2)(i): Portable cord- and plug- connected electric equipment and flexible cord sets (extension cords) were not visually inspected before use on any shift for external defects (such as loose parts, deformed and missing pins, or damage to outer jacket or insulation) and for evidence of possible internal damage (such as pinched or crushed outer jacket):

Yellow extension cord in garage has the outer sheathing damaged.

---

If you have any questions regarding this list of hazards that cannot be answered by a representative of City of Crosslake Public Works, please contact the state Consultation program at 651-284-5060 or send an e-mail to the Consultant's e-mail address [ed.lafavor@state.mn.us](mailto:ed.lafavor@state.mn.us).

# Internet Services Contract

## AGREEMENT

This Agreement is made this 1<sup>st</sup> day of September 2013, by and between The City of Crosslake, dba. Crosslake Communications (CLC), with an office located in the City of Crosslake, 35910 County Road 66, PO Box 70, Crosslake, MN 56442, and Emily Cooperative Telephone Company, (ECTC) with an office located in the City of Emily, 40040 State Hwy 6, PO Box 100, Emily, MN 56447.

CLC desires to sell Internet services to ECTC and ECTC desires to purchase Internet services from CLC according to the following terms.

### 1. AGREEMENT OF SERVICES

In consideration of the mutual promises set forth herein, it is agreed by and between CLC and ECTC that CLC agrees to provide ECTC with Internet services, as described as follows:

- a. Email services and SPAM and Virus reduction
  - i. Mailboxes are POP3/IMAP protocol and have thirty (30) megabyte by default. More storage space is easily available per the individual customer needs.
  - ii. SSL protected web browser based Email system with necessary training of staff provided so customers can use this system to its full potential.
  - iii. Virus and SPAM reduction on all mail boxes is to be accomplished using a Barracuda Systems model 400 provided by ECTC. This unit is to be housed as CLC at no charge. ECTC maintains the ownership and service contracts with Barracuda Systems or a reseller of the product.
  - iv. Support of CLC Network Operations Center (NOC) and after hours support by the Internet staff of CLC. Key ECTC personnel will be provided with all contact information for emergencies
- b. Internet connectivity
  - i. CLC will provide ECTC with:
    1. Ethernet bandwidth deployed via our shared OC48 ring with our Cisco 15454 appliances. Other connectivity options may be used as they become available.
      - a. This circuit will be monitored and if traffic rises above a level that causes CLC increased charges from their upstream ISP monthly charges will be adjusted, not to exceed \$1,000 per month per contract year.
    2. One twelve (12) port E100T card for Ethernet connectivity.
      - a. This card was the initial startup unit and due to technical issues a second card was needed. ECTC purchased the second card and owns that card.
    3. Any other equipment necessary to provide this Ethernet service to ECTC via the OC48 system.
    4. Programming and software necessary to provide Internet services.
  - ii. CLC will train ECTC employees as needed or requested by ECTC for NOC or other Internet systems.
  - iii. For the purpose of mail server capital needs it is assumed that one email account is included with each Internet account.
  - iv. Twenty-five (25) megabyte storage for end user personal website.
- c. Web Hosting for resale to end users
  - i. ECTC will be able to sell web hosting.

# Internet Services Contract

- ii. Web hosting is provided on Unix/Linux systems. Microsoft Windows based web hosting is available if necessary.
- iii. Web hosting charges are included in the monthly charges.
- iv. All web hosting clients have the following included:
  - 1. Detailed web logs
  - 2. POP/IMAP Email to match their web site
  - 3. PHP Form Mail for secure processing of web forms
  - 4. Ability to manage their own email accounts if desired
  - 5. PHP/MySQL enabled as requested.

## 2. PAYMENT AND DURATION

- a. ECTC shall provide CLC a monthly payment on the 1<sup>st</sup> of each month in the amount as specified in paragraphs 5, Summation. It is the responsibility of CLC to monitor overages of web site space and provide a monthly statement of additional charges if any exist.
- b. Monthly payments will begin Sep 1st, 2013 and the first billing will be adjusted to reflect the services being provided at that time.
- c. ECTC will retain ownership rights to its Internet customers and will continue to provide billing and customer support services to those customers.
- d. The duration of this Agreement shall be for a period of thirty-six (36) months from the date on which the contract is signed by ECTC and CLC and will be automatically renewed each year for one year subject to the following conditions:
  - i. Either party may terminate this contract by serving a written notice of termination on the other party no later than 90 days prior to the renewal date.
  - ii. This contract may be terminated in accordance with the terms herein with or without cause.

## 3. ADMINISTRATION AND INTERPRETATION

- a. This agreement can be modified only by written consent of both parties. Any waiver by either party of any breach of any term or condition of this Agreement shall not be deemed to be a waiver of any breach of the same or of any term or condition of this Agreement
- b. This writing contains the entire agreement of the parties, and supersedes any prior written or oral agreement. It may not be amended except in writing signed by an officer of each of the parties hereto
- c. Notwithstanding the foregoing, CLC's liability under this Agreement shall be limited to and governed by Minn. Stat. Chapter 466 and other applicable laws. By entering into this Agreement, that neither the City of Crosslake nor CLC waives any liability limits under Chapter 466 of the Minnesota Statutes.
- d. This Agreement is subject to all applicable federal, state, and municipal laws and regulations either presently in existence or enacted, made, or enforced hereafter, including the regulations and actions of all governmental administrative agencies and commissions.
- e. All notices provided herein shall be in writing and shall be mailed or delivered personally to the addresses set forth above, or to such other addresses as may be furnished by the parties.

## Internet Services Contract

### 4. OTHER

- a. Startup costs for future services are to be negotiated after meeting with all technical staff members to insure the proper deployment of services.
- b. CLC will charge a \$900 monthly service fee for technical support, maintaining adequate spare equipment, and any necessary vendor contracts to insure that all equipment has 8x5 one day replacement.
- c. One Class C of IP addresses is provided in the monthly fees. Extra Class C blocks will be billed at \$50 per month.
- d. Telephone support calls for ECTC customers will be billed to ECTC at \$100 per month. This amount can be adjusted or terminated at any time by CLC and ECTC.
- e. ECTC customers can bring computers to CLC for repair and service. To minimize billing issues customers will pay CLC at current shop rates. If ECTC has special customers and would like to set up billing arrangements for them this can be done as needed.


### 5. SUMMATION

Internet Charges:	\$3,500 monthly or \$42,000 annually
Monthly Service Fees:	\$900 monthly or \$10,800 annually
Email Charges:	Included in cost of service
Extra IP Addresses:	\$50 per month as needed - price not included in Total, will be added in billing system
Telephone Support Charges	\$100 per month, or \$1,200 annually
Total (Not including IP Addresses):	\$4,500 monthly or \$54,000 annually

IN WITNESS WHEREOF, the parties have duly executed the Agreement as of the day and year as first written.

Emily Cooperative Telephone Company

City of Crosslake d/b/a Crosslake  
Communications

By:   
Its: General Manager / CEO

By: \_\_\_\_\_  
Its: Mayor

By:   
Its: General Manager

## Darrell Schneider

---

**From:** Rich Hoppe [rhoppe@comcast.net]  
**Sent:** Thursday, August 08, 2013 9:55 AM  
**To:** dschneider@crosslake.net  
**Cc:** publicwk@crosslake.net  
**Subject:** Thanks for the support

Mr. Mayor

As the Mayor of Crosslake, I presume you are the recipient of resident's complaints. I thought you should also receive my thanks for helping out.

During the storm on July 25, two trees blew down over our property and blocked the road (Dream Island Rd). My neighbor (Larry Hanson) provided the chainsaw and we cut up the two trees and stacked the branches and logs on my lawn next to the road. I called Public Works the next day and asked if they would pick up the piles of branches, etc. The fellow I talked to said "Yes, but it would be the next week." As promised, the stuff was removed. I had no idea how to dispose of two 30 ft tall downed trees, so my thanks to the Public Works staff.

My thanks to you for leading a city government that engenders and demonstrates a sense of support for the residents, and please pass on my personal thanks to the Director of Public Works.

Best regards,  
Rich Hoppe  
37931 Dream Island Rd.  
612-508-0884 Cell

**City of Crosslake**

---

**From:** "Richard Dietz" <ddsquared@CROSSLAKE.NET>  
**Date:** Saturday, August 17, 2013 2:34 PM  
**To:** "TOM SWENSON" "Jon Henke" "Beryl & Steve"  
Roe" "JERRY BILSKI"  
**Subject:** MANHATTAN POINT WALKING PATH

A GOOD EXAMPLE OF WHY WALKING PATHS ARE IMPORTANT.

ABOUT 9:30 THIS MORNING I WAS DRIVING INTO TOWN. I WAS ASTOUNDED AT THE NUMBER OF PEOPLE WALKING ON THE PATH ALONGSIDE OF MANHATTAN POINT BLVD SO I TURNED AROUND AND DROVE ALONG AGAIN TO COUNT THEM. THERE WERE 25 PEOPLE AND A DOG WALKING OR RUNNING ON THE PATH. I DECIDED TO CHECK ON THE ROADS WITH NO PATH ALONG SIDE. THERE WERE 7 PEOPLE AND A DOG IN THE ROAD, ALL ON WHITEFISH AVENUE.

TWO YEARS AGO THESE 25 PEOPLE (INCLUDING CHILDREN) WOULD HAVE BEEN WALKING IN THE MIDDLE OF A ROAD LANE AND EXPECTING ALL CARS TO GO AROUND THEM. THIS WOULD FORCE CARS TO GO INTO THE MIDDLE OF THE ROAD TO PASS AND IN THE PATH OF ONCOMING CARS. THANKFULLY NO SERIOUS ACCIDENTS HAVE OCURED.

I STILL FIND PEOPLE WALKING IN THE STREET ALONG SIDE THE PATH. RECENTLY 4 WOMEN WERE WALKING DOWN THE ROAD WITH TRAFFIC, FOUR ABREAST TAKING UP THE WHOLE LANE. THEY EVEN REFUSED TO MOVE OVER MAKING ME GO COMPLETELY IN THE ONCOMING LANE. SINCE THEY WERE WALKING ALONGSIDE THE PATH I CAN ONLY ASSUME IT WAS MORE IMPORTANT FOR THEM TO WALK FOUR ABREAST IN TRAFFIC RATHER THAN BY TWOS ON THE PATH.

WHEN I RETURNED FROM TOWN 1 1/2 HOURS LATER THERE WERE STILL A NUMBER OF PEOPLE STILL ON THE PATH WHICH I ASSUME WERE DIFFERENT FROM THE FIRST 25.=



**BILLS FOR APPROVAL**  
**August 26, 2013**

<b>VENDORS</b>	<b>DEPT</b>		<b>AMOUNT</b>
American Water Works Assn, membership dues	Sewer		179.00
Anderson Brothers, class 5	PW		912.91
Anderson Brothers, tennis court construction	P&R		63,888.53
AW Research, water testing	Sewer		131.40
Brownells, glock grip adapter	Police		28.37
Chemsearch, maxi lube	PW		426.69
Demco, book covers	Library		144.27
FIRE, car fire simulator, forcible entry trailer	Fire		1,200.00
Hawkins, chemicals, pump	Sewer		1,095.79
Holiday, fuel	Fire		10.00
Marco, copier lease	ALL		428.25
Metro Sales, maint base	Police		289.63
Mike's Electric, install outlet	Fire		218.00
Napa Auto Parts, wiper blade	Police		18.69
Nelsons Outdoor Lighting & Sprinklers, replace spray heads	PW		45.00
Northwood Turf and Power, mower repair	PW		143.25
Patty Norgaard, reimburse for books	EDA		96.50
Premier Auto Repair, replace alternator, belt	PW		581.56
Rapid Trans, transcriptions	Police		36.00
RDJ Specialties, cups	Fire		462.36
Reeds Market, childrens program	Library		31.45
Reeds market, cleaning supplies	Gov't		22.83
The Office Shop, dvds	Gov't		74.77
The Office Shop, rubber bands	Gov't		5.33
Whitefish Auto, replace brake pads and rotors	Police		402.19
WSN, engineering fees	ALL		1,470.63
Ziegler, repair pto drive shaft	PW		957.25
<b>TOTAL</b>			<b>73,300.65</b>

## Darrell Schneider

---

**From:** John Hart  
**Sent:** Thursday, August 22, 2013 2:17 PM  
**To:** Darrell Schneider  
**Subject:** RE: Crosslake

My pleasure and I look forward to supporting mu community going forward

John

-----Original Message-----

**From:** Darrell Schneider  
**Sent:** 22 August 2013 14:20  
**To:** John Hart  
**Subject:** RE: Crosslake

Dear John:

Thank you very much! This is a great help to the City of Crosslake during this time of tight budgets.

The Community appreciates this support for our Emergency Service personnel who serve all of us when we need that service the most.

Sincerely,

Darrell

-----Original Message-----

**From:** John Hart  
**Sent:** Thursday, August 22, 2013 12:23 PM  
**To:** [dschneider@crosslake.net](mailto:dschneider@crosslake.net); [bmanhart@crosslake.net](mailto:bmanhart@crosslake.net); Chip Lohmiller  
**Cc:** Carrie Hart; [eriklee@crosslake.net](mailto:eriklee@crosslake.net); Michael Frank

**Subject:** RE: Crosslake

Dear Darrell, Bob and Chip,

Following our meeting, I am pleased to confirm that as a member of the local community, I shall be making the following donations:

1. Tahoe-type automobile for the Crosslake Fire/EMT/Ambulance vehicle, up to the value of \$30,000
2. \$10,000 to the Crosslake Police for non-lethal equipment and upgrades
3. Ideal Fire Department: \$10,000 donation

Total Donation: US\$ 50,000

REGARDS, JOHN



Brainerd/Baxter  
7804 Industrial Park Road  
PO Box 2720  
Baxter, MN 56425-2720

218.829.5117   
218.829.2517   
Brainerd@wsn.us.com

[WidsethSmithNolting.com](http://WidsethSmithNolting.com)

August 14, 2013

Ted Strand  
City Hall  
37028 County Road 66  
Crosslake, MN 56442

**RE: 2013 Crosslake Street Improvements – Additional Services  
WSN No. 0107B0144.000**

Dear Ted:

Per our previous discussion and approval, WSN is proceeding with ADA plan preparation for the entrance to the Community Center. We estimate these additional services, which will be an extension of our agreement with the City for the 2013 Crosslake Street Improvements, will be \$1,500 to \$2,000.

Thank you for the opportunity to work with you on this project.

Regards,

WIDSETH SMITH NOLTING

David S. Reese, P.E.  
City Engineer

Cc: Char Nelson, City Clerk



Brainerd/Baxter  
7804 Industrial Park Road  
PO Box 2720  
Baxter, MN 56425-2720

218.829.5117   
218.829.2517   
Brainerd@wsn.us.com   
[WidethSmithNolting.com](http://WidethSmithNolting.com)

August 19, 2013

Honorable Mayor and Council Members  
City Hall  
37028 County Road 66  
Crosslake, MN 56442

***RE: 2012 Crosslake Street Improvements – Release of Final Retainage***

Dear Mayor and Council Members:

The City of Crosslake retained \$2,000 in retainage from Anderson Brothers Construction to resolve turf related issues from last year's projects. These items have been resolved and we are recommending release and final payment of the retainage to the Contractor. This will close this project out.

If you have any questions regarding this recommendation, please give us a call.

Very truly,

WIDETH SMITH NOLTING

A handwritten signature in black ink, appearing to read "David S. Reese".

David S. Reese, P.E.  
City Engineer

Cc: Ted Strand, Public Works Director

**PARTIAL PAYMENT ESTIMATE  
NUMBER 3**

**Name of Contractor:** Anderson Brothers Construction Company  
PO Box 668  
Brainerd, MN 56401-0668

**Name of Owner:** City of Crosslake  
37028 County Road 66, Crosslake, MN 56442

**Date of Completion:**  
**Original:** June 30, 2012 Substantial Completion  
July 30, 2012 Final  
**Revised:** July 14, 2012 Substantial Completion

**Amount of Contract:**  
**Original:** \$175,393.29  
**Revised:**

**Dates of Estimate:**  
**From:** August 3, 2012  
**To:** October 31, 2012

**Description of Project:** Crosslake 2012 Street Improvements  
WSN No. 0107B0141.000

ITEM NO.	ITEM DESCRIPTION	CONTRACT ITEMS			AMOUNT	THIS PERIOD		TOTAL TO DATE	
		QTY.	UNIT	UNIT PRICE		QTY.	AMOUNT	QTY.	AMOUNT
2021.501	MOBILIZATION	1	LUMP SUM	\$5,276.92	\$5,276.92		\$0.00	1	\$5,276.92
2104.505	REMOVE BITUMINOUS PAVEMENT	230	SQ YD	\$2.38	\$547.40		\$0.00	409.4	\$974.37
2104.513	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	300	LIN FT	\$3.41	\$1,023.00		\$0.00	397	\$1,353.77
2105.501	COMMON EXCAVATION (F)	75	CU YD	\$15.65	\$1,173.75		\$0.00	75	\$1,173.75
2105.525	TOPSOIL BORROW	300	CU YD	\$28.72	\$8,616.00	42	\$1,206.24	272	\$7,811.84
2112.501	SUBGRADE PREPARATION	49.8	RDST	\$56.37	\$2,807.23		\$0.00	49.8	\$2,807.23
2123.610	STREET SWEEPER (WITH PICKUP BROOM)	4	HOUR	\$125.19	\$500.76		\$0.00		\$0.00
2211.501	AGGREGATE SURFACING, CLASS 5 (2)	70	TON	\$12.29	\$860.30		\$0.00	156	\$1,917.24
2211.501	AGGREGATE BASE, CLASS 5 (CV)	2015	TON	\$11.88	\$23,938.20		\$0.00	1838.2	\$21,837.82
2215.501	FULL DEPTH RECLAMATION (FDR)	12175	SQ YD	\$0.93	\$11,322.75		\$0.00	12175	\$11,322.75
2360.501	TYPE 12.5 WEARING COURSE MIXTURE (1)	1850	TON	\$62.17	\$115,014.50		\$0.00	1672.6	\$103,983.06
2563.601	TRAFFIC CONTROL	1	LUMP SUM	\$567.95	\$567.95		\$0.00	1	\$567.95
2573.540	FILTER LOG, TYPE STRAW BIOROLL	515	LIN FT	\$2.84	\$1,462.60		\$0.00	950	\$2,698.00
2573.550	EROSION CONTROL SUPERVISOR	1	LUMP SUM	\$340.77	\$340.77		\$0.00	1	\$340.77
2575.501	SEEDING (PERMANENT)	0.55	ACRE	\$1,079.10	\$593.51	0.08	\$86.33	0.93	\$1,003.56
2575.511	MULCH MATERIAL, TYPE 1	0.8	TON	\$170.39	\$136.31		\$0.00		\$0.00
2575.532	FERTILIZER, TYPE 2 (PERMANENT)	155	POUND	\$1.08	\$167.40	23	\$24.84	223	\$240.84
2575.502	SEED MIXTURE 270	65	POUND	\$3.35	\$217.75	9	\$30.15	109	\$365.15
2575.560	HYDRAULIC SOIL STABILIZER TYPE 5	785	POUND	\$1.08	\$826.20	117	\$126.36	1392	\$1,503.36
	EROSION CONTROL BLANKET	192	SQ YD	\$1.40	\$268.80	192	\$268.80	192	\$268.80
<b>PROJECT TOTAL</b>					<b>\$175,662.09</b>		<b>\$1,742.72</b>		<b>\$165,447.17</b>
						<b>THIS PERIOD</b>		<b>TOTAL TO DATE</b>	
<b>AMOUNT EARNED</b>					\$1,742.72			\$165,447.17	
<b>AMOUNT RETAINED</b>					(\$6,185.22)			\$2,000.00	
<b>PREVIOUS PAYMENTS</b>								\$155,519.23	
<b>AMOUNT DUE</b>					\$7,927.94			\$7,927.94	

**Estimated Percentage of Job Completed:** 94.3%

**Is Contractor's Const. Progress on Schedule:** Yes

**CONTRACTOR'S CERTIFICATION:**

The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the Contractor for work for which previous payment estimates were issued and payments received from the Owner, and that current payment shown herein is now due.

**ENGINEER'S CERTIFICATION:**

The undersigned certifies that the work has been carefully inspected and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.

**Anderson Brothers Construction Company**

**ENGINEER: WIDSETH SMITH NOLTING**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

David S. Reese, PE.

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED BY OWNER:**

City of Crosslake

BY: \_\_\_\_\_

Tom Swenson, City Administrator

Date: \_\_\_\_\_

## Land Services Department

Mark B. Liedl.....Land Services Director

### Environmental Services

Christopher Pence.....Land Services Supervisor

Douglas R. Morris.....Solid Waste Coordinator

Paul Herkenhoff, P. L.S.....Survey & Planning Coordinator

### Property Valuation and Classification

Gary Griffin.....Land Services Supervisor

### Public Land Management

Kirk Titus.....Land Services Supervisor

ENVIRONMENTAL SERVICES  
LAND SERVICES BUILDING  
322 LAUREL STREET, SUITE 14  
BRainerd, MN 56401

TELEPHONE (218) 824-1125

FAX (218) 824-1126



**CROW WING COUNTY**

BRainerd, MINNESOTA 56401

August 13, 2013

TO: Crow Wing County Local Units of Government

RE: Local Comprehensive Water Plan Approved

Crow Wing County's Local Comprehensive Water Management Plan has now been approved by local and state officials. On June 26, the Minnesota Board of Water and Soil Resources (BWSR) approved the plan. On July 23<sup>rd</sup>, the Crow Wing County Board of Commissioners formally adopted the Water Plan. It is now in effect until 2023. The Plan identifies local priority concerns, objectives, and actions related our County's surface and ground water resources. It also includes a minor-watershed based, land protection model that is the first of its kind in the state. As part of the process, the County Board has delegated water planning duties to the Crow Wing County Land Services Department.

Local government unit representatives can view the Water Plan online at the website address below. In Appendix 1, they can find a map of the minor watershed in which they reside that includes detailed information about that watershed as well as specific water plan priorities that apply specifically to their watershed. The website is: <http://crowwing.us/index.aspx?NID=241>. In addition, a one-page factsheet is enclosed that provides a summary of the Plan. It can be distributed as needed.

We are notifying you because Minnesota Statute 103B.325 requires local units of government to enact amendments to their plans and official controls as necessary in order to align with the Local Comprehensive Water Plan. If you would like the Crow Wing County Land Services Department to provide recommendations to assist in this process or to meet with you to further explain the Water Plan, please contact us at 218-824-1125 or [environmental.services@crowwing.us](mailto:environmental.services@crowwing.us).

Sincerely,

Mitch Brinks, Minnesota Certified Wetland Delineator #1007

Water Protection Specialist

Crow Wing County

322 Laurel Street, Suite 14

Brainerd, MN 56401

218-824-1128

[mitch.brinks@crowwing.us](mailto:mitch.brinks@crowwing.us)

P.S. Also, we are updating our city and township email lists, so please email me your city/township clerk's email address so that we can make sure we are up to date. Thanks!



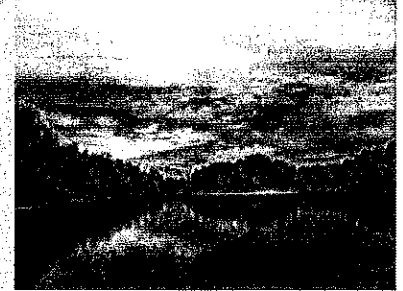
Land Services

**CROW WING COUNTY**  
BRainerd, MINNESOTA 56401

# Crow Wing County Water Plan 2013 - 2023

Water planning is identifying what works best to protect and enhance Crow Wing County's water resources. This revision of the Crow Wing County Local Comprehensive Water Management Plan:

- Identifies local priority water resource concerns, objectives, and actions
- Targets specific surface and ground water resources to focus implementation efforts on
- Uses a watershed-based, land protection model
- Includes analysis and maps of all 125 minor watersheds in the county
- Includes a section focused specifically on the Mississippi River



## Priority Concerns & Objectives:

- **Aquatic Invasive Species (AIS)**
  - Lake Association Coordination
  - Watercraft inspection
  - Lake Improvement District (LID) Management
  - Education & Outreach
- **Ground water**
  - Septic Maintenance & Inspection
  - Testing for Nitrates & Other Contaminants
  - Wellhead & Drinking Water Source Protection
  - Sealing of Unused / Abandoned Wells
  - Solid & Hazardous Waste Disposal
- **Surface Water**
  - Stormwater Management
  - Shoreline Buffers
  - Wetland Protection
  - Land Use & Development
    - Performance standards
  - Measure Water Quality Data
    - Track impervious surfaces & phosphorous loading
    - Monitor lakes & streams
    - Assess trends
  - Agricultural Best Management Practices

## Watershed Approach:

Crow Wing County is part of 5 major watersheds and has portions of 125 minor watersheds. For this plan, a watershed based model was used that classified each minor watershed by the amount of protected land as well as by various risk factors and water plan priorities.

*Protected land = public ownership, lakes, rivers, easements, & wetlands on private lands*

### Risk Classifications:

**Vigilance:** > 50 % protected lands, < 8 % land use disturbance, no risk factors such as agriculture, development, artificial drainage, or extractive uses

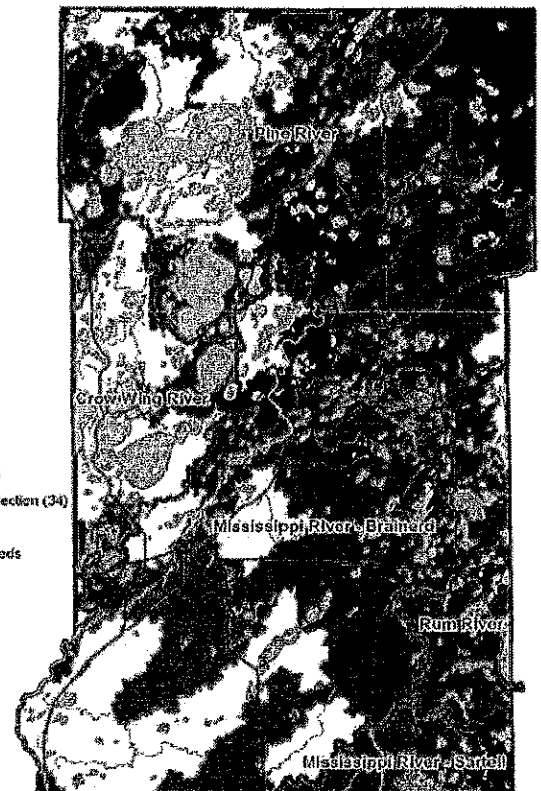
**Protection:** 40-65 % protected lands, 8-30 % land use disturbance, minimal risk factors, and water quality that is stable or improving, multiple high-quality resources could be protected

**Enhance / Protection:** < 40 % protected lands, moderate amount of risk factors, water quality that is stable, declining, or impaired, manageable risk factors, one or more water resources that could be protected

**Enhance:** < 40 % protected lands, > 30 % land use disturbance, multiple / significant risk factors, limited resources to protect

**Risk Classification**

- Vigilance (31)
- Protection (45)
- Enhance / Protection (34)
- Enhance (15)
- Major Watersheds



All water plan information is available online: [www.co.crow-wing.mn.us/index.aspx?nid=241](http://www.co.crow-wing.mn.us/index.aspx?nid=241)

**BOARD OF COUNTY COMMISSIONERS**  
**Crow Wing County, Minnesota**

**DATE: July 23, 2013**

**RESOLUTION #2013-30**

**OFFERED BY COMMISSIONERS: Thiede and Franzen**

**RESOLUTION TO ADOPT AND IMPLEMENT THE  
2013-2023 CROW WING COUNTY LOCAL COMPREHENSIVE WATER PLAN**

WHEREAS, Minnesota Statutes, Chapter 103B.301-355, Comprehensive Local Water Management Act, authorizes Minnesota counties to develop and implement a local water management plan, and

WHEREAS, the Act requires that a county update and revise their local water management plan on a periodic basis, and

WHEREAS, in accordance with Minnesota Statutes, Chapter 103B, a Public Hearing was held on April 23, 2013 regarding the development of the 2013-2023 Crow Wing County Local Comprehensive Water Plan, and

WHEREAS, the Crow Wing County Board of Commissioners has been notified by the Minnesota Board of Water and Soil Resources that the Crow Wing County Comprehensive Local Water Plan has been approved according to Minnesota Statutes, Chapter 103B.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of Crow Wing County, Minnesota, adopts and will begin implementation of the 2013-2023 Crow Wing County Local Comprehensive Water Plan.

BE IT FURTHER RESOLVED the Crow Wing County Land Services Department, as the delegated water planning department, will notify local units of government within the county of the adoption of the Plan.

STATE OF MINNESOTA )  
COUNTY OF CROW WING) ss

I, Timothy J. Houle, County Administrator, Crow Wing County, Minnesota, hereby certify that I have compared the foregoing copy of the resolution of the county board of said county with the original record thereof on file in the Administration Office, Crow Wing County, Minnesota, as stated in the minutes of the proceedings of said board at a meeting duly held on July 23, 2013, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting.

Witness my hand and seal this 26<sup>th</sup> day of July 2013.

  
TIMOTHY J. HOULE  
COUNTY ADMINISTRATOR

	<u>YES</u>	<u>NO</u>
DISTRICT #1 - KOERING	<u>X</u>	<u>      </u>
DISTRICT #2 - THIEDE	<u>X</u>	<u>      </u>
DISTRICT #3 - NYSTROM	<u>X</u>	<u>      </u>
DISTRICT #4 - FRANZEN	<u>X</u>	<u>      </u>
DISTRICT #5 - HOULE	<u>X</u>	<u>      </u>



**103B.325 CONSISTENCY OF LOCAL PLANS AND CONTROLS WITH THE LOCAL WATER MANAGEMENT PLAN.**

Subdivision 1. **Requirement.** Local units of government shall amend existing water and related land resources plans and official controls as necessary to conform them to the applicable, approved local water management plan following the procedures in this section.

Subd. 2. **Procedure.** Within 90 days after local units of government are notified by the county board of the adoption of a local water management plan or of adoption of an amendment to a comprehensive water plan, the local units of government exercising water and related land resources planning and regulatory responsibility for areas within the county must submit existing water and related land resources plans and official controls to the county board for review. The county board shall identify any inconsistency between the plans and controls and the local water management plan and shall recommend the amendments necessary to bring local plans and official controls into conformance with the local water management plan.

Subd. 3. **Revision and implementation.** Local units of government shall revise existing plans and official controls to conform them to the recommendations of the county board and shall initiate implementation of the revised plans and controls within 180 days after receiving the recommendations of the county board, or 180 days after resolution of an appeal, whichever is later.

Subd. 4. **Appeals.** A local unit of government may, within 60 days after receiving the recommendations of the county board, appeal any recommendation to the Board of Water and Soil Resources for a hearing as provided in section 103B.345.

Subd. 5. **New plans and controls.** New or amended water and related land resources plans and official controls proposed by local units of government for their adoption following adoption of the comprehensive water plan shall be submitted to the county board for review and recommendation as provided under this section.

**History:** 1990 c 391 art 2 s 22; 2003 c 128 art 1 s 96,97