

**FREDENBERG TOWN BOARD  
SAINT LOUIS COUNTY, MINNESOTA**

**MINUTES OF PROCEEDINGS  
May 20, 2020**

**TIME & PLACE: 7:00 pm  
TOWN HALL/COMMUNITY CENTER**

The second monthly meeting was CALLED TO ORDER via telephone conference, at 7 pm by Chair Clay Cich. Also present were Deb Pawlowicz, Tim Wagner, Jim Ray and Walter Rapp. Bill O'Brien/treasurer, Mary Skafte and Diane Palmstein/clerks were also present. 23 residents listened while the Board recited the Pledge of Allegiance.

**Old Business**

- a. Resolution 2020-008: Resolution Objecting to a Conditional Use Permit for LTI Holdings, LLC for a Conditional Use Permit for a General Purpose Borrow Pit: Walter Rapp made a motion to reconsider Resolution 2020-008, Tim Wagner seconded, discussion followed: Clay Cich felt a legal opinion was necessary before voting because of how a change in vote may impact other issues the Board is dealing with. Jim Ray stated today he requested clerks to contact Steve Overom/township attorney for clarification, Diane Palmstein/ clerk read email from Steve Overom with his clarification under Robert Rules for reconsidering a motion and attorneys' statement that the vote was for the Resolution only, Clay Cich stated he had not received this email and that the township doesn't follow Roberts Rules of Order and clerk clarified that it was sent at 5:43pm forwarded to Jim Ray because it was at his request to contact our attorney and opened in the office at 6:15pm tonight but she had also spoken to Steve Overom and he reiterated the ability of a Board to reconsider a motion. Walter Rapp felt he, as a supervisor, had the right to request a reconsideration of the Resolution. Deb Pawlowicz stated she didn't feel she had enough information as tonight was the first, she heard about these issues and suggested it be tabled until the Board meeting in June to gather more information on legality of reconsideration. Walter Rapp withdrew his motion and asked that it be tabled. Deb Pawlowicz made a motion to table the reconsideration of Resolution 2020-008 until June Board Meeting, Clay Cich seconded. **4 YEAS 1 NAY (Tim Wagner). MOTION PASSED. Resolution will be reconsidered on June 3, 2020 Board Meeting.** Clerks will contact Steve Overom/township attorney and Steve Fenske/MAT attorney, for a written legal clarification.

**New Business**

- a. Reopening of Fredenberg (Art Welter) Recycle Center: Deb Pawlowicz, supervisor overseeing the Center, has discussed with Center employees and WLSSD reopening, adding an extra day and hours and procedures to be followed, recycle employees agree with plan. Deb Pawlowicz thought maybe opening on May 25, 2020, which is Memorial Day would work but supervisors discussed issues of holiday pay, recycle policy for working the day after/before a holiday and it was decided that the Center would open on Wed. May 27, 2020. Clay Cich made a motion to reopen the Art Welter Recycle Center on Wed., May 27, 2020 from 3-8pm, Saturday, May 30, 2020 from 9 – 1pm, and the following week, Monday, June 1 from 3-8pm, Wednesday, June 3 from 3-8pm and Sat. June 6 from 9-1pm. Deb Pawlowicz seconded. **5 YEAS. MOTION PASSED UNANIMOUSLY.** Further extended hours will be discussed on June 3 Board Meeting. Clerks have purchased supplies: hand sanitizer, disinfectant, gloves, masks, face shields for employees. Opening will be publicized on: Town Hall Marque, NextdoorFrendenberg and Fredenberg.org.
- b. Proposal for Attorney Services for Enforcement of Township Moratorium: Clay Cich stated he consulted with Steve Overom/township attorney and was informed that he has not done trial lawyer services for a while and other health issues prevent him from handling this case. Clerks had spoken to him also and currently he has no plans to retire or take leave because of health issues. Jim Ray read the cover letter and proposal from Chris Dahlberg/attorney. His fees are \$250/hour with a \$5,000.00 retainer and he estimates 40 hours needed for this project (rough estimate \$10,000.00). Jim Ray did not feel his services are required at this time. Deb Pawlowicz questioned if we needed immediate need for legal advice, what would we do. Walter Rapp asked why we were now looking for a new township attorney, when the proposal is for a specific matter, if there was a contract with Steve Overom and why this decision needs to be addressed now and suggested tabling it until the next meeting. Clay Cich stated he contacted Chris Dahlberg because he was a former County Commissioner and member of the Planning and Development Commission for the County. Clay Cich made a motion to table the proposal for

Attorney Service, Deb Pawlowicz seconded. **5 YEAS. MOTION PASSED UNANIMOUSLY. Item will be on agenda for June 3, 2020 Board meeting.**

- c. Complaints About Trucks on Township Roads: Jim Ray/road foreman stated there have been recent complaints about trucks on township roads, directed at Lakehead Trucking. He reminded residents that there are no restrictions on township roads, only axle load limits during spring thaw. Our roads do not have any engineered axle load rating and not required to have them. There have been incidents that were witnessed and reported. He supported the township addressing concerns of residents regarding the conditional use permit for 6464 Fredenberg Lake Road but felt there are considerations on both sides. He agreed it was an emotional issue, and everyone needs to remain civil. Undermining the reputation of a company or individuals should not be tolerated. Supervisors are placed in a difficult position and need to remain objective and not be distracted. He stated it is his understanding our paved roads have an adequate base and asphalt surface to support current use. He felt in the future when paving township roads, that having the engineers hired for the project approve the adequacy of the base and surface. Clay Cich asked about what issues have occurred and felt Lakehead Truck has helped the township bring our road up to a good standard, in accordance with our 5-year plan

**Adjournment:** Clay Cich made a motion to adjourn the meeting, Deb Pawlowicz seconded. **5 YEAS. MOTION PASSED UNANIMOUSLY.** Meeting adjourned at 8:36pm.

Respectfully submitted,



Deane Cathy Palovina

Clerk



Clay Cich

Board Chair/Co-Chair