

Township of Breitung Regular Board Meeting 06-20-24 at 6:00 PM. In Person Meeting at the Breitung Community Center

Present In Person:

Board Members: Chairman Tim Tomsich, Supervisor Matt Tuchel, Supervisor Erin Peitso, Clerk Amber Zak
Public: Barb Soderberg, Craig Lenci, Scott Lilya, Chas Lilya, Doug Erickson, Doug Anderson, Tyler Rodeheffer, Brian Zak (all previous attendees left at 7:10 PM), Ozzie Reif (left at 7:00 PM), Nancy Larson, John Jamnick, Jim Battin (Left early), Jodi Summit (Timberjay), Terry Carlson (Tower News) Trudy Hendricks (left early), Aaron Kania, Scarlet Stone, Dan Reing, Tom Gorsma (in and out due to availability)

Call to Order @ 6:00 PM by Chairman Tim Tomsich

Acceptance of Agenda

Supervisor Tuchel requested to add the recent flooding events to the agenda under New Business
Motion by Supervisor Tuchel to accept the agenda as amended
2nd by Supervisor Peitso
Motion Passed 3-0

Approval of Minutes

Motion by Supervisor Tuchel to approve the minutes of the 05/16/24 Regular Board Meeting as presented
2nd by Supervisor Peitso
Motion passed 3-0

Motion by Supervisor Tuchel to approve the minutes of the 06/18/24 Statutory Board Hearing as presented
2nd by Supervisor Peitso
Motion passed 3-0

Approval of Treasurers Report

Motion by Supervisor Tuchel to approve the May 2024 Treasurers Report as presented
2nd by Supervisor Peitso
Motion passed 3-0

Correspondence

- Highway 169 Task Force – Thank You
- Minnesota State Demographic Center
- MN DNR – Land Acquisition Letter
- IRRR Meeting Recap – Breitung Township highlighted, page 4

Correspondence so noted

Public Input

None

Reports

- Police – Attached, Chief Reing noted that speeding had been more of an issue in the past month and emphasized the 50-mph speed limit would be enforced between Soudan and Tower, mentioned that blight, 4th of July coordination, and ATV traffic were all items worked on in May
 - Resident Craig Lenci mentioned speeding becoming a particular issue on Jasper Street for children and pets, further commented on Breitung Township vehicles speeding through town; additionally mentioned that he would be willing to help with blight for lawn cleanup
 - Supervisor Tuchel suggested that the Township could be open to hiring Lenci for blight clean up
- Fire – Attached
- Road and Bridge – Attached, Tom Gorsma updated the board on current flood repair work including having hauled 250 yards of gravel, with another 350 to go, truck leasing and roller rental for road repair, appreciative of public assistance, noted that he was trying to prioritize what could be done, working with clerk to keep records for help from county/state
- Recreation – None
- Wastewater Board – Supervisor Tuchel noted that the board had met Monday of this week (June 17, 2024) and were working on additional capacity flow for ponds, soil testing; further mentioned they were in the process of testing for rapid filtration, hoping for positive results
- Ambulance Commission – None
- Housing – Attached

Reports so noted.

Old Business:

Recreational Trail Development

Chairman Tomsich explained the background of the issue being that multiple groups had shown an interest in the Township's position on designating an existing trail for non-motorized traffic only. Many members of the community were in attendance to comment on both sides of the issue as follows:

Aaron Kania: Tower Forestry Board, trails masterplan was developed between Tower and Breitung with a goal of connecting both towns, campgrounds, etc. Tower City Council put together a plan and implementation to designate those trails non-motorized, maps came from an Ad-hoc committee formed by Tower City Council

Craig Lenci: Advocate of snowshoeing and having non-motorized trails, argues that we have the ability to have all of that (motorized and non-motorized) – one issue is that people have kept those trails open with their ATVs and without them, those trails would have been grown in. Mentioned that a hiking trail could still be available alongside the motorized trail, there are better options than just changing the motorized designation. Further expressed concern over many hunters not having the same access as they have had for years and concern that the opportunity to hunt will be removed as well.

- Supervisor Tuchel agreed that no one is opposed to a hiking trail, they are opposed to the re-designation of an established trail

Brian Zak: Expressed that he would like to see the board do nothing; expressed that as soon as a trail is designated, it takes away hunting legalities. Iterated that enforcement would be an issue, he does not mind others using it in non-motorized ways and realizes it is public but would like to see it left alone; further mentioned that there are other trail options for non-motorized use.

Doug Erickson: Reiterated that enforcement of the non-motorized trail use would be an issue, questioned whether there was an actual ordinance or was it just a sign

- Kania answered that Tower does have an ordinance regarding where ATVs are allowed to drive
- Erickson further stated that residents do not want a policeman in the woods when it is not necessary, and in this case, it would not be necessary.

Zak: Further commented that the City Hunt is in that area, a non-motorized trail designation would just cause problems

Supervisor Tuchel read through Aaron Kania's email and noted that the proposed hiking trail is very minimal. Stated he had heard from enough residents that he is not in favor of making this change, there is enough area within the city of Tower to create walking trails on that side, would be open to something new being proposed and created, there is not enough support from Breitung's residents to support the change; further reiterated he is not opposed to a walking trail.

Barb Soderberg: Noted she was speaking for walkers/hikers/skiers – has concerns that the walkers are getting edged out of the area by ATV users. Her father, Howard Wagoner, envisioned hiking trails in the concerned areas, shared trails are not compatible, ATV trails are important but in the right place and not *shared* with non-motorized users. Presented a letter from executive committee on Howard Wagoner Trails.

- Tuchel: Ventured to say that the Township would be in support of creating and helping to make a hiking trail, the same as they did for the prospector trail
- Lenci: Agreed that there should be a separation of trail uses

Ozzie Reif: Part of the North Country National Scenic Trail, a hiking trail of 4800 planned miles created through acts of congress, this is an excellent opportunity for Breitung, these trails could be incorporated into the trail. Stated that the Ely section currently has 48 dues paying members to help fund maintenance, this could work the same way

Nancy Larson: Discussed a comprehensive plan that had been created as part of a Tower and Breitung Master Plan that our area could be the gateway for all sorts of trails and uses, questioned whether the planned paved loop trail would be open to motorized vehicles

- Tomsich: only snowmobiles

Doug Anderson: Discussed that he and his family enjoy off-highway motorcycling and that much like the walkers, felt he had been edged out. Stated there is very minimal space for OHM use and that the concerned trails were some of the last in the area. Requested that the trails not be shut off to motorized vehicles, requested that the Township not allow one group of people to designate what everybody else can and cannot do out there.

Chairman Tomsich: Stated that at the last meeting, he was of the mind not to change the trail and is still in favor of leaving things be. Discussed that as the State Park was placed, there were several ATV trails that became non-motorized and available to hikers/bikers and that there were a sizeable number of hunters and ATV users that lost the ability to enjoy those activities in that area. He expressed that it does not seem right to restrict the trail, as there are currently a lot of opportunities for non-motorized activities. Stated that the Township has worked hard to be multi-use without trying to take away something – is in favor of leaving the current trails as they are.

Supervisor Peitso: Stated that she hikes and uses an ATV, does not want to see a loss of anything and that if the group can find a way to add hiking trails that would be a positive action but is not interested in taking anything away from any group.

Motion by Supervisor Tuchel to leave current trails as they are and not designate any trails to be restricted in our jurisdiction

2nd by Supervisor Peitso

Motion passed 3-0

Kania: Requested clarification that the board would be in support of creating new trails and would be open to considering helping in the same way they had helped with the Prospector ATV trails

- Board: Yes, any new trails to be created would need to go through due process, public discussion would be had, etc.

Hoodoo Point Loop Trail Project

Chairman Tomsich stated that recipients of the Blandin Grant should be notified by the end of June, the Township is unable to have John Jamnick (JPJ) start the initial work without the grant approval.

Animal Ordinance

No update.

Stuntz Bay Access Road

Chairman Tomsich discussed the upcoming construction project stating that the road would be shut down from Jasper Street to the fork (proceeding to Stuntz Bay & the winter entrance of the State Park) for a period of one continuous week sometime in August. Stuntz Bay Association had been notified, anyone that needs to use the landing may access it via the State Park summer entrance *only with special permission ahead of time*. Mesabi Bituminous needs to let us know when they need to close the road so that Breitung Township can get the word out to users

- Nancy Larson: Unsure of how many people would have any idea of this, suggested some sort of notification coming from the Township, especially in terms of an emergency – make use of Facebook, signage, letters to owners/taxpayers; will provide list of owners/taxpayers and addresses
- Tomsich – will need to let Fire Dept know to keep boat elsewhere during that week
- Clerk to send out letters to boathouse owners, post in papers, Facebook

2024 Infrastructure – IRRR

Chairman Tomsich stated that they had hoped to include broadband in the project but that information regarding the costs at the Echo Point project has not been forthcoming; he suggested at this time we proceed without broadband as part of the plan. As the planning was still in the preliminary stages, no resolution was needed at this time.

New Business:

Pay Bills as Presented

Motion by Supervisor Tuchel to Pay Bills as Presented

2nd by Supervisor Peitso

Motion Passed 3-0

Donation Request – Scarlet Stone

Requested donation for purchase of vinyl signs for Community Rummage Sale; stated there are currently 15 households signed up, brings people into town to shop at stores, brings community out and about, generic wording for use year after year, would be stored at the township during the year

- Supervisor Tuchel stated it was not legal for signs to be placed on State Highways, as a government entity, we could not engage in illegal placement of signs on roadways, suggested participants pay as part of the event
- Chairman Tomsich suggested a funding option from the TS events board could be an option for her.

31 Jasper St – Handicap Parking Request

Charles Peterson requested a handicap parking space in front of his home; this would require signage, curb painting, and discussion with public works about overnight parking during the winter months.

- Supervisor Tuchel had concerns with the width of the street, opening the option to other differently-abled people in town, agreed to look at the property and discuss it with the owner.

Ordinance Number 90-03A – Water & Sewer

- Chairman Tomsich had concerns regarding several areas of the ordinance including but not limited to: forms as part of ordinance, language regarding reimbursement for the work being the same as “local improvements,” different types of permits, enforcement, rate schedule, written notice, cost, road reconstruction and water main work, authority (clerk vs board).
- The ordinance was referred back to the water commission to have updates made.

Resolution No 2024-16 – Accepting Donations

Motion by Supervisor Peitso to pass Resolution No 2024-16 and accept donations as listed

2nd by Supervisor Tuchel

Motion Passed 3-0

Resolution Appointing Election Judges – Primary Election and General Election

Motion by Supervisor Tuchel to pass Resolution No 2024-17 and Resolution No 2024-18 and appoint election judges for the State Primary and General Election as listed

2nd by Supervisor Peitso

Motion Passed 3-0

Reschedule continuation of Annual Meeting

Motion by Supervisor Tuchel to change the continuation date of the Township of Breitung Annual Meeting to August 15, 2024 at 7:00 PM at the Breitung Community Center

2nd by Supervisor Peitso

Motion Passed 3-0

6-18-2024 Flood

Supervisor Tuchel stated that the county board had an emergency meeting, the county has declared a disaster and the entire county is eligible for funding, it is not necessary for the township to declare its own disaster. The county is eligible for State funding at \$460k, Federal funding at \$10.5M – the county is likely to receive both. Representatives Stauber and Hauschild were asked for help for our residents. Directed the clerk to look for communication from the county regarding the flood, track everything with pictures, time cards, assessments, etc.

- Tom Gorsma noted that wastewater issues could have been avoided if the current infiltration & inflow problems were not present

Motion by Supervisor Tuchel to allow Public Works crew to utilize engineering firm JPJ to make assessments of damages from storm

2nd by Supervisor Peitso

Motion Passed 3-0

Next Regular Board Meeting

Thursday, July 18th, 2024 at 6:00 PM at the Breitung Community Center

Adjourn

Motion by Supervisor Tuchel to adjourn the meeting @ 8:16 PM

2nd by Supervisor Peitso

Motion passed 3-0

Respectfully Submitted

Amber Zak

Clerk, Breitung Township