Kabetogama Clean Water Initiative Steering Committee

Actions Taken by Kabetogama Towship Board Regarding Area C Reverse Referendum Special Election

January-February 2020

Under State Statute 365A, governing the establishment of subordinate service districts, if after successful petition to establish a district, the Township receives petitions from at least 25% of the proposed district property owners opposed to the establishment, a special election needs to be conducted to determine the question of establishment. The township did receive the required 25% petitions to prompt a reverse referendum.

We found that there is no clear guidance in state election law that covers our situation where the voters (the property owners of the proposed district) are not registered to vote in Kabetogama Township elections. We also wanted a process that gave all property owners an equal chance to vote their preference.

After conferring with the St. Louis County Deputy Auditor/Elections Supervisor, The Township Board asked our Township Attorney to research state election laws and recommend a process for the Board to follow in order to conduct a referendum vote to determine if a subordinate service district shall be established for Area C.

The Board has approved and will follow the recommendations of our Township Attorney in conducting the referendum vote. The following are actions that have or will be competed by the Board which will culminate in a special election held on May 12, 2020.

* January 2, 2020 - Set Special Election date for May 12, 2020
* January 2, 2020 – Approve and resolve to follow township attorney’s recommendations for a mail election where the electorate would include all Area C property owners as listed on the county’s land records for those properties (one vote for each property owner regardless of the number of properties owned). This includes all owners listed on the deeds for those properties. This is different from the petition (and reverse petition) process where each property or group of properties with the same owner were considered as one petition.
* January 14, 2020 – Letter mailed to each Area C property owner informing them of the reverse referendum and special election.
* February 4, 2020 – Board approved a resolution to conduct a mail election.

February 5, 2020 - Board sent a NOTICE OF SPECIAL ELECTION ON QUESTION ON THE QUESTION OF ESTABLISHMENT OF A SUBORDINATE SERVICE DISTRICT to the County Auditor.

* March 3, 2020 – “Notice of Special Election” and “Notice of Mail Ballot Procedures” mailed to taxpayer of each property in Area C.
* April 12 – Send out Mail Ballots to taxpayer of each property in Area C.
* May 12 – Election, votes counted