Kabetogama Township

PUBLIC HEARING

September 9, 2019

Chairman Larry Kec opened the meeting at 7:07 p.m. Board members present were Supervisors Marlene Tomczak and John Stegmeir, Clerk Mary Manninen along with 1 guests. All attending recited the Pledge of Allegiance.

Introduction – Chairman Larry Kec explained the purpose of this meeting. To consider the establishment of Subordinate Service Districts in service areas G, pursuant to Minnesota Statues 365A. All persons as desired to be heard with reference to the proposed Subordinate Service districts will be heard at this hearing.

Introduction of the Board of Supervisors of the Township of Kabetogama and members of the Kabetogama Clean Water Initiative Steering Committee, Don Breneman Duck Bay Retreat, Jeff Decker Sunset Forest Plat, Tim, Holly Henrickson Area F, Lee Herseth Area F, Jeff Ingals Sunset Forest Plat, Jeff Krueger Area F, Bob Myerson Area F, Richard Raun State Point, Kevin McMillan Sunset Forest Plat, Richard Schaffer Area J, Tim Snyder Area F. This committee was formed last fall and have been meeting monthly since then. They have worked very hard to get information to all of you.

Supervisor John Stegmeir explained some items from the agenda.

**PATHWAY TOWARD IMPROVING WASTEWATER INFRASTRUCTURE**

**IN THE KABETOGAMA COMMUNITY – A TIMELINE**

**2001 Kabetogama Township in organized**

**2002 Community Action Plan developed**

* # 1 Action Identified – Support Improvements to Community wastewater Infrastructure.
* Township Wastewater/Land Use Committee Formed

**2004 Kabetogama Township Action Plan Amendment**

* Comprehensive Community Wastewater Plan developed

**2005 Establishment of Puck’s Point Subordinate Service District**

**2009 Namakan Basin Joint Powers Board Established (Now called the Voyageurs National Park Clean Water Joint Powers Board (VNPCWJPB))**

* The Purpose of the Joint Powers Board (JPB) is to provide a comprehensive strategy for improving and sustaining water quality in the communities adjacent to Voyageurs National Park. The JPB assists communities in obtaining funding for their projects.
* Kabetogama Township has a representative to this Board along with Crane Lake, Ash River in the Namakan Basin and Island View in the Rainy Lake Basin.

**2010 JPB Comprehensive Wastewater Plan *Namakan Basin Sanitary Sewer Initiative.***

**2016-17 Puck’s Point Sanitary Sewer District wastewater collection, treatment and dispersal infrastructure is constructed.**

**Summer 2018 Community informational meetings hosted by the Township Board to gauge community support for continuing the wastewater infrastructure improvement initiative.**

**Fall 2018 Kabetogama Clean Water Initiative Steering Committee Formed**

**Spring/Summer 2019 Committee members make contact with their neighbors to gain support for a petition to form subordinate service areas.**

**August 2019 Petitions verified by township**

**August/Sept 2019 Public Hearings**

**NEXT STEPS TO ESTABLISHING**

**THE SUBORDINATE SERVICE DISTRICTS**

I. The agenda for the next monthly meeting of the Township Board of Supervisors, which is Tuesday October 1, 2019, will include the consideration of a resolution to approve/disapprove the establishment the subordinate service districts.

II. If the resolution to establish subordinate service districts is approved, the Township Board will take the following actions within 20 days of approval:

* Publish the resolution in the International Falls Journal.
* A notice will be mailed to the owner (and property taxpayer if different) of each parcel within the area proposed to be included in each district.
* The districts will be effectively established 60 days after the date of publication in the International Falls Journal.

III. Reverse Referendum

* If the township receives a petition against establishment of a subordinate district signed by at least 25% of the property owners within the territory of the proposed district and received before the effective date of establishment, the establishment of said district will be postponed pending referendum vote of property owners within the boundaries of the proposed district.

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 **Keeping informed:** Establishing subordinate is just the first step in a multi-year

process to get to an operational community wastewater system. The KCWI Steering Committee encourages you to stay informed of the process going forward and provide your input as you see fit. There are multiple ways you can do this.

1. The KCWI Steering committee posts their agendas, meeting minutes and key documents on the Kabetogama Township Website, kabtownship.org *open the Kabetogama Clean Water Initiative* tab.

2. Kabetogama Township meetings held on the first Tuesday of every month are open to the public. There is a public comment period at each meeting and also a time period to discuss any items pertaining to the Community Sewer Project. After establishment of the subordinate service areas, we will have a conference call number for those who are generally outside the Kabetogama area to call in on the meeting. We will post this number and the call-in time on the Township website (see #1 above) after district establishment.

3. Contact one of the KCWI Steering Committee members.

**Public Comment Period/Question and Answer Period**

Chairman Larry Kec opened the Public Comment period and explained the rules. The following is a summary of the comments offered. There was only one property owner from Area G in attendance.

Niles Wilkins:

* Stated that he is not in need of a new sewer and does not want to be forced to join or hook up.
* He has a big investment in the two systems he has now and they are working fine with expansion capacity.
* Why should he be penalized for doing the right thing and improving his sewer infrastructure while others are not.
* How were the boundaries of the proposed district determined. Does not make sense to leave properties on the south side of the road out of the district.

**Addressing The Issues Raised**

* **How were the** **service areas determined:** The committee looked at the 2010 comprehensive plan and based on that plan they determined what areas were the highest priority to organize at this time, concentrating on lakeshore properties. Area G had the lowest priority of the areas chosen by the committee to be included in this petition effort but felt that because of its location between two higher priory areas it made sense for project planning to include it in the proposed area for organizing. We may combine districts as we continue with the process to maximize economy of scale. We can also add parcels outside the now defined districts by petition. Expansion capacity will be considered when designing the treatment system.
* **The proposed sewer infrastructure improvements are not meant to be individually punitive but collectively building toward a clean water future for Kabetogama Lake, joining other communities adjacent to Voyageurs National Park who have built or are building community sewer systems.**

Within a service area, there is a range of the condition of individual sewer systems from newer, conforming systems to those that are older and may be non-compliant to those that are failing. There are also a range of soil conditions/landforms and lot sizes that are factors in determining if a compliant system can be built/maintained on a property. A community sewer system plans and provides for the infrastructure that will provide a compliant, managed system for all properties into the future. For this venture to be economically doable, and meet the goals of our clean water initiative, all property owners in the district need to participate. As important, economically, is that there are grant dollars available which would pay up to 80 percent of the construction costs of building the infrastructure.

* **A property owner within an established subordinate service district is a member of the district and will eventually have to hook up to the provided public system.** You are a member of the district because the majority of the landowners in your district petitioned the Township to establish a subordinate service district to begin a process of planning and development of a community sewer system. At some point in the process, when the township has a good estimate of the costs of construction and the operation and maintenance of the system, property owners will have to make a documented decision to connect to the system when construction is completed. If a property owner decides not to connect at the time the system is available, they are still obligated to connect sometime in the future but their individual costs may be higher than connecting when the system is available.

The costs to the landowner for connecting at some future date after the system is completed will be spelled out in the District Sewer Ordinance and the District Rates Ordinance which will be developed as part of the overall process and follow state and county laws and ordinances in their development. The Township Board will consider the following options for the landowner if they decide not to connect when the public system is available:

1. The landowner can chose to have the system equipment installed on their property during construction of the project but not connect immediately. They will pay their proportional cost of the construction costs for the total project. They will not be charged operation and maintenance fees until they connect. They can connect at any time or when their individual system becomes non-compliant, or fails as determined by the county, or they need to replace, repair or expand their system. The landowner would pay for connecting to the system equipment already in place and would pay an inspection fee to the District and begin paying operation and maintenance fees.
2. The landowner can choose not to have the equipment installed on their property during construction. They will pay no construction costs or operation and maintenance fees. When their system becomes non-compliant, or fails as determined by the county or when they need to replace, repair or expand their system, they will have to connect to the public system. They would be liable for the cost of installing the (district approved) equipment on their property as well as a connection fee to pay for their portion of the original construction costs.

**Become involved in your district:** The service districts are jointly owned by the district property owners. The Township manages and operates the districts for the district members.Members in these districts are encouraged to become involved and stay informed as we move along in the process. Read the minutes of the meetings, ask questions, give opinions and talk with the committee members. It is your system. Be involved.

Chairman Larry Kec moved to adjourn the meeting, seconded by Supervisor John Stegmeir, all voting aye, motion carried.

The Public Hearing adjourned at 7:45 p.m.

Respectfully submitted,

Mary Manninen, Clerk