

**Greenvale Township
Board of Supervisors Meeting Minutes
Thursday, August 17, 2023**

Present: Supervisors Tony Rowan Dave Roehl, and Chairman Charles Anderson, Treasurer Wayne Peterson, and Clerk Jane Dilley

Others Present: Andy Anderson, Gregory Langer, Linus Langer, Mary Langer, Mary Collins, Perry Collins, Judi Malecha, Bruce Paulson, Terry Mulligan, Wendy Bolton, Larry Bolton, Scott Norkunas, Joyce Moore, Richard Moore, Cindy Roehl, Eric Christianson, Dean Odette, Jerry Bolton, Bobbi Bolton, Jennifer Welbaum, Tom Wirtzfeld, Kurt Hembd, Linda Wasner, Demian Jackman, Mike & Becky McNamara, Jim & Carol Null, Kathy Kalow of Edina Realty, Victor Volkert, Stuart Berg, John Fink, Dakota County Sheriff Joe Leko

Opening of the Meeting: Anderson requested the audience silence any electronic devices. Please keep conversations in the audience to a minimum. Consider going out into the hall to avoid disrupting others if a conversation must take place.

Approve Agenda: Anderson added the meeting minutes for the Special Meeting on June 6, 2023 to the agenda for review and approval. Ken Malecha is on a family trip, Scott Norkunas will give the report from the Planning Commission. Anderson moved to approve the agenda with changes. Roehl seconded. Motion carried 3 – 0.

Minutes: The minutes from the Special Board Meeting of June 6, 2023 minutes were reviewed. Anderson made a motion to approve; seconded by Rowan. Motion carried 3 – 0. The minutes from the Regular Board Meeting of July 20, 2023 minutes were reviewed. Anderson made a motion to approve. Roehl seconded. Motion carried 3 – 0.

Guests: Dakota County Sheriff Joe Leko was present to answer questions and speak about the 911 Joint Powers Agreement proposal.

Charles Anderson introduced Sheriff Joe Leko and encouraged the citizens to ask questions. When the citizens are done with questions, the Board will have some questions.

Becky McNamara said they are building a house nearby and her contractor asked if theft from construction sites has been a problem. Leko is not aware of any trends or theft reports but will make note of this and let the patrol units to keep an eye on this.

Leko said he is humbled and honored to serve as the County Sheriff. He's been with the department for 26 years and oversaw the patrol unit for part of his career so is familiar with the rural sections of the county. For eight years he served as the Chief Deputy under Sheriff Tim Leslie. He supervised the 200+ employees of the Sheriff's department. The department has 87 peace officers licensed by the State of Minnesota. About 1/3 of the employees are in support staff roles. There are 27 deputies assigned to patrol and this includes 6 supervisors and a captain. The remaining peace officers are assigned to investigations and the courthouse. Most of the rest of the staff are correctional deputies that have responsibility for the jail. Some deputies are assigned to the Drug Task Force and others are part of the civil division and act as process servers throughout the County. Parks, lakes, and trails are also covered by the sheriff's department.

Leko's responsibilities as Chief Deputy involved budgeting. Their budget is determined by the County Commissioners and funded primarily by tax levies. For four years Leko has been requesting the addition of patrol deputies. This comes from a study in done 2019 which indicated more staff should be added. This was before CoVid, before the George Floyd incident.

The amount of continued training to keep a peace officer licensed has increased. Mental health calls are increasing - the number of calls, the seriousness, the dangers are greater than a few years ago. They now attempt a de-escalation, which takes more time and has better outcomes. All of this, along with the fallout from the George Floyd incident means the officers are under greater mental and physical stress and need support and down time.

There are 355 square miles covered by the patrol division. The county is cut in half using Highway 52. One patrol officer has the west half, and another has the east half. Even with lights and sirens it's a 25 – 30 minute drive from Hastings to the west side of

the County. That's too long to wait for backup. Deputies are often asked to provide an all clear before medical personnel will enter a residence.

In 2020 the Sheriff's Department added one patrol position funded through budget requests. This is the only position added in the 26 years of Leko's time in the department. The Sheriff's Department represents about 10% of the total Dakota County budget.

There are 19 jurisdictions between the townships and small cities that do not have their own police departments. Twelve jurisdictions have so far indicated support to move forward with the proposed Joint Powers Agreement for 911 calls. Currently cities with their own police departments pay for the direct costs of 911 calls in their jurisdiction. The 911 costs for townships and small cities are allocated prorata to these cities. This proposal shifts the 911 direct costs to the townships and small cities. Each entity that pays direct costs has one member that is part of the 911 Board.

A direct levy for the sheriff's department is not allowed in the seven-county metro area. Outstate it can be done. Interesting fact – Minnesota State Statutes do not require a rural patrol.

The County is proposing a five-year phase in of direct 911 costs. The first year for Greenvale would be \$3,600, increasing by \$3,600 each year, capping off at \$18,000 per year. The cost is roughly \$23 per person per year. An audience member asked if the costs were known for the City of Northfield to provide law enforcement services for Greenvale Township. It is roughly ten times the amount, around \$230 per person.

Dakota County has added 26 officers to other departments within the County in the last year. Last year Burnsville hired 8 officers and Lakeville hired 4 officers. The applicant pool is shallow. For the last position filled, there were 17 applicants, compared to only a few years ago when there were 200 applicants for 2 open positions. Leko said we won't hire someone just to fill a slot. They are a few years out before retirements play a factor. Retention is very important.

Additional questions were asked by audience members.

Citizens comments:

Greg Langer spoke about the lawsuits filed against Linus Langer, former clerk, and himself. Langer stated the township wants access to Linus Langer's personal emails and personal computer. There is a conference with the Dakota County Courts and the attorneys for all parties on Thursday September 21.

Linus Langer remarked that during Greg Langer's citizen comments, an audience member signaled Anderson that Langer's three minutes were up. Linus Langer feels this is showing bias.

Scott Norkunas said we have the current town board to thank for opening up citizens comments to address any topic. Linus Langer responded that the prior Town Board introduced Comment Cards, which the current board has eliminated and suggested we tone things down.

Terry Mulligan commented the township records were left in a mess and agrees the lawsuits are a waste of time and money but there was nothing in his file related to the business and after hours of digging in the piles of papers at the town hall no pertinent documents were found. Where did they go? At the last Planning Commission meeting the McNamara family presented a request to build a new home for their daughter, using one of two building entitlements on a parcel they own. They came to the Town Board a few years ago and had the two building entitlements confirmed. There is nothing signed or dated in the township's records to support this. The minutes are too general to be of any assistance about two building entitlements. The McNamaras were able to obtain the needed documentation from the prior landowner. Another example of the state of the township's records have to do with the building rights inventory. The township did a great job several years back putting together a study of building entitlements in the township, section by section, (the "green book") but it was never maintained after it was created. Waste of time and money right there. The township only wants back its own records, nothing personal. This could've been resolved long ago by turning over township records.

Perry Collins addressed the comments about waste of money regarding the lawsuits from the prior meeting. Turn over township documents, and there is no lawsuit. If items are illegally retained, then yes, this should be prosecuted. Follow the law, and we won't have these problems.

Clerk's Report: Dilley drafted a Compensation and Expense Reimbursement Policy. The policy spells out compensation for Board members, Planning Commission members, Website Administrator, Road Superintendent, and Election Judges. The policy combines previously approved pay amounts, eligibilities and understandings into one document. It cites the frequency of pay, the amounts and introduces the "roster method" of handling compensation for meetings. This will eliminate a significant amount of paper shuffling and will keep compensation payments up to date. The policy is not in final draft form. Treasurer Peterson asked if claim forms would still need to be signed. Yes, for MAT meetings, training, Intergovernmental Meetings and hours worked. No, for any type of Town Board meetings and Planning Commission meetings. Other townships have adopted a roster method for meeting compensation. Dilley will finalize the draft for Board approval at the September meeting.

In talking with Mike Couri about the roster method of meeting compensation pay, Dilley and he talked about some people remarking they don't need to be paid. Couri said Planning Commission members are appointed and are considered employees and must be paid under Minnesota Employment Law. Dilley was aware there was inconsistency with pay claims being submitted in the past. A review of meeting attendance for Planning Commission members was done using the minutes and was compared to compensation amounts paid. From this Dilley submitted catch up pay recommendations for 2022 and 2023 to the Board with accompanying documentation. Rowan made a motion to approve the catch up payments. Anderson seconded. Motion carried 3 – 0. Dilley will continue the project for Board members. As there was a misunderstanding earlier in the year about the Clerk's compensation, Dilley will summarize what has been paid to her vs what should have been paid and will have Treasurer Peterson review it before any pay adjustments are recommended to the Board.

Dilley asked for input from the Board about a meeting to which the Board members have been invited by Sciota Township for September 7, 2023 to discuss the 911 Joint Powers Agreement funding proposal. It was agreed the meeting should be posted on the website and on the message board. Rowan asked if the sample resolution

provided by Dakota County indicating our support of the proposal could be ready for the next meeting.

Treasurer’s Report: Wayne Peterson introduced Joyce Moore as his newly appointed Deputy Treasurer and verified that pay has been authorized by the Board. Peterson then presented the Treasurer’s Report.

checking account	
July 1, 2023 beginning balance	\$ 25,838.00
deposits	\$ 169,558.37
checks cleared	\$ (20,599.07)
July 31, 2023 ending balance	<u>\$ 174,797.30</u>
less: outstanding checks	\$ (66,352.16)
plus: deposits in transit	<u>\$ 1,285.92</u>
reconciled July 31, 2023 balance	<u><u>\$ 109,731.06</u></u>
savings account Castle Rock Bank	\$ 232,514.99
CDs Community Resource Bank	\$ 55,221.54
Grand Total	<u><u>\$ 397,467.59</u></u>

Peterson noted that claims this month are in excess of \$86,000 which includes the cost of chloride on the township gravel roads. Anderson made a motion to approve the Treasurer’s Report, seconded by Roehl. Motion carried 3 – 0.

Peterson was asked to tally the payments to Grossman Companies for the last two years. Backing out gravel, the amount paid to Grossman for services for two years was slightly above \$218,000. The threshold for using quotes (vs. bids) is \$175,000.

Anderson made a motion to pay claims; Roehl seconded the motion. Rowan said he stated that approves of the \$500 expenditure for attorneys Couri & Ruppe for general services, but not for other items on the invoice and asked that this be noted in the records. Motion to pay claims passed 3 – 0.

Road Committee: A road tour was scheduled for August 15, a bus was rented as this seemed to be an item of high interest based on criticism in a recent newsletter from the GTPW (Greenvale Township Preservation Watch). Bus rental was approved earlier in the year. The road tour was poorly attended – five people and the bus driver; no one from the GTPW attended. Anderson made a motion that for future road tours, we will have people sign up a week beforehand to determine if a bus is needed. Rowan seconded. Motion carried 3 – 0.

Anderson reported that chloride had been applied to gravel roads in the township. Therefore, we will stay away from grading as much as possible. From Cedar Ave to the Waterford Township border, 290th St W is getting pretty beat up. Roehl asked if the County would pay for more chloride. Anderson reported the County said no, even though County Road 86 is not yet open. (Currently, County Road 86 is closed from the railroad trestle east to Highway 3). The County already made two applications of chloride on 290th St W this summer. The township also applied chloride this past month.

Anderson shared cost estimates he received from Grossman Companies on two culverts – one at the end of Garrett Ave and another on 290th St W. Anderson hoped we might get help from Dakota County because of the extra traffic this summer. Todd Howard said these culverts were in need of replacement prior to any traffic damage. One culvert is estimated at \$1,800 and the other at \$1,550, with labor of \$6,000 each. Aprons would cost an additional \$1,550 for Garrett Ave and \$950 for 290th St. W. Rowan suggested posts only be used for the culverts. Anderson did add a seed blanket and black dirt for the west side of Garrett as a local resident keeps that area mowed. The other three culvert openings will have riprap only. Also need to add posts for the culvert replaced this summer on 315th St W. Rowan made a motion to proceed with the culverts (no apron, only posts). Roehl seconded. Motion carried 3 – 0. Jerry Bolton added there were posts and reflectors in the Town Hall.

During the road tour, approximately 20 dead trees located in the right-of-way were identified as candidates for removal. Anderson has a quote from Castle Rock Contracting and will get another from Cannon River Tree. To be discussed at the next Board meeting.

A motion was made by Rowan to approve double wide ditch mowing and brush removal. Anderson seconded. Motion carried 3 – 0.

The road services contract for August 1 – July 31 with Grossman Companies has been finalized and is ready for signature. No blank copies of the contract were found at the Town Hall, nor was there an electronic version on the Clerk’s laptop. Dilley therefore retyped the contract in its entirety. Anderson signed the contract and will be in touch with TJ for his signature.

Planning Commission: Scott Norkunas reported on the August 10 Planning Commission meeting. The meeting was attended by Ken Malecha, Scott Norkunas and Steve Wickelgren. Both Victor Volkert and Joyce Moore notified the PC Chair and the Clerk of their absences per the PC Policy and Procedure Manual. Norkunas presented a request from the McNamaras for a new home. The PC approved this request 3 – 0 and recommends approval by the Board. Anderson made a motion to approve, Roehl seconded. Motion carried 3 – 0.

The Budin Family requested a parcel split which was approved by the PC on a 3 – 0 vote and recommends approval by the Board. Anderson made a motion, seconded by Roehl to approve the split. Motion carried 3 – 0.

Darrin Larson presented a parcel split. Malecha recused himself from voting as he has had some involvement with Larson. The PC approved the split with a 2 – 0 vote and recommends approval by the Board. Rowan made a motion to approve; Anderson seconded. Motion carried 3 – 0.

The Planning Commission continues its work on the township’s ordinance manual. Discussions from meetings of 2 PC member teams between the July 13 and August 10 meetings were shared at the August 10 PC meeting. Looking at possible meeting dates in September for community input. Letters will be sent to all residents and landowners and the meetings will be posted on the website and the message board. Rowan asked that he be given a copy of any revisions produced by Bolton & Menk. As of now, no revisions have been received.

Building/Grounds: Roehl gave a financial summary on the Clean Up Day that occurred on Saturday July 15. We received \$2,085.60 from Dakota County, \$625.90 from steel sold, and collected fees of \$505.00 for a total of \$3,216.60. Claims being paid tonight for Clean Up Day expenses total \$3,023.16. Trash collected was 5.35 tons and there were 2.7 tons of electronics collected.

Old Business: The Dakota County 911 Call Center/Sheriff's Department funding proposal was discussed. Dakota County provided a sample resolution for each township to use to express their support for the funding proposal. This does not commit us. Rowan read the sample resolution out loud. Rowan also reported the Dakota County Township Officers Association is having a meeting on September 6 to have further discussions about the funding proposal. Sciota Township has not invited Mike Slavik or Joe Leko to their meeting on September 7. Rowan then made a motion to move forward with the resolution in support of the funding proposal. Anderson seconded; motion carried 3 – 0.

Committee reports: Broadband – the committee consists of Anderson, Lorn Manthey and Sara Lofgren. Lofgren is a great addition to the committee, bringing grant writing skills. The committee met with Dan Ferber of Dakota County. Good information was shared. Next meeting possibly in Hastings to look at maps the County has which show current and future pipelines for Broadband. Pipeline is going in on County Road 86 as part of the road construction project. The Minnesota Association of Townships (MAT) emailed township officers with a notification coming from the Minnesota State Office of Broadband Development about meetings they are hosting in the next month.

Anderson and Manthey intend to attend the meeting on September 7 in Faribault.

Picnic – Jen Welbaum reminded everyone of the date of Saturday September 23 from 4:00 – 7:00pm. Postcards are going in the mail. Something new for this year's picnic: Sharing is Caring. If you have excess produce or flowers from your garden – or if you're doing a lot of baking – please bring these items to the picnic to be shared. The committee could still use some volunteers to help with set up. Pulled pork, cake, lemonade and coffee are provided; please bring a dish to share.

Requests for Proposals (RFPs): The township's contract with MNSpect, the township's Building Inspector, ends on December 31, 2023. We do not have a contract with our Septic Inspector, Darrel Gilmer. Requests for proposals will be sent out to current providers. The Board will provide the Clerk with the names of other companies that

should receive the RFPs. The Clerk asked the Board members to supply questions they want answered for the RFPs. Anderson made a motion, with Rowan seconding, to supply the Clerk with names and questions for potential inspectors and to authorize RFPs to be sent on behalf of the township. Motion carried 3 – 0. The Clerk asked the Board what deadline date they would be comfortable with for providing the list of companies and questions on the RFPs. The Board agreed on a date of August 25.

Township-owned emails: Eric Christianson reported that we encountered a size limitation for emails. We will work to get this increased in the next couple weeks. Email addresses for the Town Board and PC Chair will be updated on the township website. Christianson will spend time developing an archiving system.

City of Northfield: a reminder to everyone that the comment period for the joint City of Northfield/Xcel Energy Draft AUAR (Alternative Urban Areawide Review) ended today.

New Business:

Anderson attended the District 4 (Minnesota Association of Townships) meeting in Arlington, MN. The meeting focused mainly on the financial loss of the Insurance Trust in the amount of \$800,000+ caused by fraud. The hackers provided the Insurance Trust with cash wire instructions believed to belong to their reinsurance company. It appears this amount is not recoverable. The case is being pursued by the FBI and Cybercrimes Units of the US Government. Another topic of the meeting was township owned email addresses. There may be a future mandate that township email addresses end in “.gov.” The Clerk asked if any townships were using this method. Unknown at this point.

The Intergovernmental Meeting was hosted by Waterford Township, who arranged for the Fire Hall on 5th Street in Northfield to be the meeting location. Intergovernmental meetings include the townships of Waterford, Greenvale, Northfield and Bridgewater and the cities of Northfield and Dundas. Dundas reported a Tractor Supply store was coming in near MGM. They discussed the turnback of Highway 246 to Northfield. The group had a tour of the fire hall. The 911 Joint Powers Agreement was discussed. One member of the Waterford Township Town Board is strongly against the proposal. Waterford Township is hosting a meeting September 6 about the proposed quarry in their township. Waterford Township will have a comment period on the quarry from

August 22 to September 21. An audience member asked if Greenvale could post this on our website. Bridgewater Township announced an industrial site will be going in west of the gravel pit on Highway 3. The Fire Chief talked to the group about necessary clearance for fire trucks on township roads and into the driveways of property owners. The Village of Waterford is one area of concern.

An extension request has been signed by TK Properties.

Dean Odette gave a report on the Greenvale History project. The group has researched 165 years of the township! They will be ordering the first 50 nameplates. County Cabinets is donating the wood for the plaques and will predrill holes for the nameplates. The quote for the nameplates for the plaques is coming in over budget. The township approved a \$2,000 expenditure. The plaques will cost around \$2,700. Some donations have already been made and others have offered. It was customary in the "old days" for people to go by a first initial and last name. The group has found first names for everyone except "J Blesner" who served the township in 1934. Dean has one more avenue to pursue but would appreciate people reaching out to any older member of the Greenvale community who might be able to provide a first name. Odette said Wayne Peterson had been the constable for the township – perhaps the last constable we had.

Anderson addressed previous questions/comments from Rowan wondering about the Board's approval of the limerock expenditure on Holyoke Avenue (April Board meeting) and the approval to proceed with the lawsuits (January Board meeting).

Rowan provided a copy of the Northfield Area Transportation group's most recent meeting packet. Anderson suggested the Clerk copy it for the other Board members or email a scanned version or provide a link to its location on the City of Northfield's website.

Treasurer Peterson brought claims checks to the board table for signature. While checks were being signed, the Board conversed about rising chloride costs and how other townships handle chloride application. No decisions were made.

Anderson asked the Clerk to draft a letter of permission to be signed by residents for tree removal. The township has not previously gotten written permission for tree

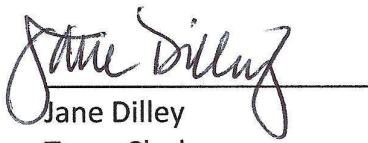
removal. Peterson said the township did not get quotes in the past for tree removal. Cannon Valley Tree was contacted for tree removal. Anderson said he wasn't comfortable proceeding with tree removal until the township received two quotes.

Anderson expressed frustration with being criticized for removing fallen trees from the roadways and keeping the wood. This is a service he provided before becoming the Board liaison for roads. He is happy to do the tree removal but doesn't want to take any grief for keeping the wood so he will simply push it off the road. Otherwise, he will call TJ to do the removal of fallen trees in the roadway. He asked the other Board members for their input. Anderson will continue to perform this service, for which he is insured, with the Board's support. Anderson noted he is not seeking payment for this service.


Anderson then talked about criticism he's gotten for submitting mileage reimbursement for the weekly drive he does of all township roads. The township approved compensation for the Road Superintendent at the reorganization meeting in April that includes a monthly pay amount and mileage.

Anderson made a motion to adjourn meeting. Rowan seconded. Motion carried 3-0.

Submitted:


Jane Dilley
Town Clerk

Approved:


Charles Anderson, Chairman
Board of Supervisors