

**Greenvale Township  
Board of Supervisors Meeting Minutes  
Thursday, July 20, 2023**

**Present:** Supervisors Tony Rowan (out of town – audio and video requirements met), Dave Roehl, and Chairman Charles Anderson; Treasurer Wayne Peterson

**Absent:** Clerk Jane Dilley

**Others Present:** Andy Anderson, Gregory Langer, Linus Langer, Mary Langer, Mary Collins, Perry Collins, Ken Malecha, Bruce Paulson, Terry Mulligan, Wendy Bolton, Richard Moore, Cindy Roehl, Alison Bartlett, Vicki Tyler, Simon Tyler, Eric Christianson, Susan Brockman, Brian Evenson, Dean Odette, Jerry Bolton, Erv Ulrich, Duane Fredrickson, Rusty Kluver, Ron Welbaum, Kurt Hembd, Linda Wasner, Demian Jackman, Georg Fischer

**Opening of the Meeting:** Anderson requested the audience silence any electronic devices. Supervisor Rowan is present via video and audio connection, and having met the Open Meeting requirements, he is authorized to vote on any matters that come before the Board.

Anderson requested that citizen input about the Sheriff's Department proposal be held until the Board addresses that item. General citizens comments about other topics may be made during the regular Citizen Comments part of the agenda. Anderson reported Clerk Dilley was under the weather, therefore, there will be no Clerk's report. Eric Christianson is recording the meeting and the Clerk will use the recording to create the minutes.

**Approve Agenda:** Anderson asked if there were additions to the agenda. Rowan requested the City of Northfield Advisory meeting be added. This

will go under New Business. Anderson moved to approve the agenda. Roehl seconded. Motion carried 3 – 0.

**Minutes:** The June 6, 2023 minutes are under construction. The June 15, 2023 minutes were reviewed. No changes were suggested. Anderson made a motion to approve. Roehl seconded. Motion carried 3 – 0.

**Guests:** None present.

**Citizens comments:**

Greg Langer spoke about having lawsuit papers delivered to his home. There have been no recent motions or resolutions passed to authorize this lawsuit. By comparison, when the idea of a township picnic was introduced ten years ago, it was voted on at the annual meeting but did not gain traction for a few years. The picnic eventually got approved in 2017. The lawsuit was likely initiated with a phone call. Langer considers it reckless spending of the township's money and harrassment of two former township officers. Anderson asked Langer to wrap up his remarks as the time limit for citizen comments was exceeded.

Rusty Kluver is saddened that the township officers are recklessly spending money on the lawsuits when they don't even know what they're looking for. He feels it is a waste of time and money and is divisive to the township. Kluver believes the town board should spend the township's money in better ways.

Alison Bartlett echoed Kluver's comments. Feels the township is engaging in "lawfare" – waging war using the law. Concerned about this happening in an economic recession. She appreciates the fresh approach of using township owned emails. This is a good direction. We have many issues facing us – Broadband, the proposed quarry in Waterford Township that

will affect aquifers in the northeast area of the township and road issues. The lawsuits may mean that people could be fearful of running for office. Bartlett told Roehl that while campaigning for office he said he didn't support the lawsuit. Wants this on the record.

Wendy Bolton has been trying to track legal costs, we paid over \$10,000 to the attorney in the last month and half of that was for the lawsuits. She also heard that Anderson is charging for inspecting the roads and doesn't think he should get paid for two jobs.

**Clerk's Report:** None, as Clerk was not at the meeting.

**Treasurer's Report:** Wayne Peterson presented the Treasurer's Report.

**checking account**

June 1, 2023 beginning balance	\$ 20,556.74
deposits	\$ 11,418.91
checks cleared	\$ (6,137.65)
June 30, 2023 ending balance	<u>\$ 25,838.00</u>
less: outstanding checks	\$ (9,094.77)
plus: deposits in transit	\$ 1,056.22
reconciled June 30, 2023 balance	<u><u>\$ 17,799.45</u></u>

<b>savings account Castle Rock Bank</b>	\$ 232,514.99
<b>CDs Community Resource Bank</b>	\$ 55,221.54

<b>Grand Total</b>	<u><u>\$ 305,535.98</u></u>
--------------------	-----------------------------

The CTAS records are off by \$2.18 from the bank, but he is aware of the cause. Rowan had questions on a couple of claims – gravel load from Castle Rock Materials. This was used on 315<sup>th</sup> St W when the culvert was replaced. Anderson said he needed to talk to TJ Grossman about his

invoice for that project to verify the rock TJ brought in used under the culvert. Rowan also said that in the past, the Board made motions on specific roads for receiving gravel as recommended by the Road Superintendent. He would like to follow this process again. Anderson agrees. Rowan asked if there were other large expenditures coming up. Anderson said there are two culverts that need replacement – one on 290<sup>th</sup> St W and another on Eveleth Ave. Any tree removal projects should be presented to the Board. Anderson said there is a dead tree on Eveleth Ave near the bridge where the tree debris is on the road. It is scheduled to be removed tomorrow. Rowan would like to know about expenditures before he receives questions from the public. Suggests Anderson send information to the Clerk for distribution to other Board members.

Rowan inquired about the Couri & Ruppe invoice and Anderson's involvement on a call with Dilley to the attorney. Anderson was assisting Dilley as a second set of ears.

Rowan made a motion to approve Treasurers Report. Roehl seconded. Motion carried 3-0.

Anderson made a motion to pay the claims. Roehl seconded. Motion carried 3-0. Anderson and Peterson will sign the claim checks after the meeting and get them to Dilley for her signature on Friday.

**Guest arrival:** Dakota County Sheriff's Deputy Ryan Puls joined the meeting. His territory is generally the western side of the County, and he has been at prior Greenvale Township meetings. Unfortunately, he was not made aware of the 911 funding project and cannot answer any questions from the Board or the public. A representative from the Sheriff's Department who can answer questions will be at the August meeting.

Regarding patrols – speed continues to be a concern on 320<sup>th</sup> St W. He tries to spend time there during peak usage – 4:00 – 6:00pm. His day partner is aware of the issues and patrols the area in the morning. Deputy Puls has done stops for speeds of 70mph+.

Rowan asked if all rural deputy's patrol cars carry defibrillators – yes.

**Road Committee:** Road work since the June meeting – the County reopened County Road 86 (280<sup>th</sup> St W) from Garrett Ave to Cedar Ave (County Rd 23). Result is much less traffic on our gravel roads. The road hit the worst is 290<sup>th</sup> St W. Gravel has been put down on 290<sup>th</sup> St W between Cedar Ave (County Rd 23) to Eveleth Ave. Gravel also put down on Holyoke Ave from County Rd 90 (295<sup>th</sup> St W) to County Rd 86 (280<sup>th</sup> St W). In total, 6.6 miles of township roads received gravel last month. The County applied chloride to Garrett Ave starting at County Rd 86 (280<sup>th</sup> St W) to 290<sup>th</sup> St W east of Eveleth Ave during construction. The township added additional chloride on 290<sup>th</sup> St W to the west of Cedar Ave (County Rd 23) as it was needed for the extra traffic during construction. The township applied chloride to the rest of the township roads. The cost of dust control is getting very high. This is a topic for discussion at the 2024 annual township meeting whether we want to continue dust control at current levels.

The Road Improvement Committee is working on a plan to recommend to the Board for tree removal and brush removal from ditches. The entire dead tree on Eveleth is being removed Friday July 21. Portions of the dead tree are on the roadway and in Chub Creek. Other dead trees will need attention this year.

Anderson shared a letter he received from Ed Holt who resides on 315<sup>th</sup> St W. He would like signage near his home to indicate “caution – truck

entrance” as there have been three accidents that occurred as he is turning in his driveway. One driver was going too fast to avoid Holt’s semi and took the ditch. Another driver went around the Holts’ driveway. On June 29 as he was turning into his driveway a Jeep clipped his truck in the front causing damage. Should check with the County before proceeding. Township would order the signs and the posts with reimbursement coming from Holt. Anderson made a motion to proceed, Roehl seconded. Motion carried 3- 0. Anderson will contact Dakota County.

We need to get a contract signed with our road contractor. No electronic version exists on the Clerk’s laptop nor is there a blank copy in the files, so the Clerk is recreating it. We are looking at if it will work to make the road contractor agreement cover two years instead of one. Treasurer Peterson will gather financial information.

Rowan asked if there was a backup person for Anderson on roads. Adam Royle has agreed to serve in that capacity.

**Planning Commission:**

Ken Malecha reported on the July 13th Planning Commission (PC) meeting with all members present. The PC reviewed the last application under the Nonconforming Land Use Ordinance from Duane, Eric and Anne Fredrickson for PID 16-0030-77-013. The business use is billboard construction and truck and equipment storage. The application lists the buildings used. There is no additional lighting for the business. Employees are all family members. The PC recommends approval of this request to the Board. Anderson made a motion to approve; Roehl seconded. Motion carried 3 – 0.

At the July 13 PC meeting the Over the Counter (OTC) Permit report was reviewed.

The PC then moved into reviewing the ordinance manual with Harry Davis of Bolton & Menk with the objective to bring the township's ordinances in line with the Comprehensive Plan. Prior to the meeting, the PC members met in groups of two to review different sections of the manual and shared their suggestions and questions. Between the July and August PC meetings the remainder of the current ordinance manual will be reviewed. Future topics include transfer of building right, lot of record, commercial, Volkert brought up solar. The PC is looking at hosting two public forums – the first being a Monday or Tuesday evening and the other a Saturday. Malecha asked for approval for funding to pay for PC members attendance. Plan to send a letter to all landowners and residents notifying them of the meetings when the dates are set. Rowan (and Roehl) made a motion to approve; Anderson seconded. Motion carried 3 – 0.

Road Committee (cont'd): A return to the Road Committee – Christina Nelsen is coordinating with Road Committee members for availability for a road tour. Anderson received complaints that no spring road tour took place as was originally planned. The expenditure for the bus was previously approved. The road tour is scheduled for Wednesday August 9 starting at the Town Hall at 6:00pm. The meeting is open to the public. (Author's note: the road tour was rescheduled to take place Tuesday August 15 at 6:30pm and has been posted on the message board and the township website). Roehl made a motion to proceed with the road tour, Rowan seconded. Motion carried 3 – 0.

**Building/Grounds:** Roehl reported on the clean up day that occurred on Saturday July 15. Seventy (70) families brought items for disposal. Roehl is very thankful for the 12 volunteers who helped and worked very hard at the event: Mary Collins, Tammy May, Katherine Schumann, Cindy Roehl, Bruce Paulson, Scott Norkunas, Charles Anderson, Will May, Mark Holter,

Perry Collins, Tom Wirtzfeld and Ken Malecha. A special thanks to the Gary Kruse family who made a \$100 donation to the township as well as a donation last year. Anderson picked up the materials from the Kruse family as there are family health issues. The Collins family provided Subway sandwiches for lunch – thank you so much. Because of the large volume of items collected, additional trailers were needed. Thanks to Ken Malecha, Tom Wirtzfeld, Charles Anderson and Perry Collins for providing them on short notice. Roehl hopes to have the finances wrapped up by the August meeting. Roehl spoke to John Exner from Dakota County, which sponsored a county wide clean up day a couple weeks prior to ours. At the County wide event they collected 6 tons of tires. Greenvale Township collected 2 tons of tires at our clean up day.

**Old Business:** Eric Christianson reported that all officers now have working township owned email addresses. Currently testing for glitches. We should be able to publish email addresses on the website by the August Board meeting. Rowan reported he did not get alerts that he had emails and then had an issue getting emails on his computer and needed to re-establish his password. Eric will look into this.

**New Business:**

County Road 90 Task Force – the group had a meeting on July 6 to form questions for the County. The questions will be forwarded to Commissioner Slavik. The group developed the following questions: how much has the County spent on County Rd 90 over the last ten years, what is the amount projected for expenditure over the next ten years, inventory and condition of culverts and bridges and any concerns the County has about the road that should be shared with the Township. The questions were forwarded to Commissioner Slavik, who forwarded them to County staff. When answers are received, another Task Force meeting will be scheduled. Group members are: Mark Malecha (Road Committee



member), Jack Gust (County Road 90 resident), Christina Nelsen (Road Committee member), Karen Nelson (resident at large) and Dean Odette (County Rd 90 resident). Rowan asked Roehl to supply the Clerk with the email sent to Slavik so it can be forwarded to Rowan as he would like to review it.

Dakota County 911 Call Center/Sheriff's Department funding proposal – the Dakota County Township Officers Association has been involved with discussions about this funding proposal. Rowan is an officer of the township officers association. Anderson read the letter sent by the township officers association to town clerks and city administrators to share with their boards – this involves all rural townships and small cities that do not have their own police force – to attend a meeting in late June. Attendees from Dakota County: Matt Little, County Administrator, Joe Leko, Dakota County Sheriff, and County Commissioners Mike Slavik and William Droste. Droste's district includes the City of Empire, which was previously a township. The County is asking townships and small cities take action and commit to participating in the funding proposal. The proposal involves a five-year phase in of costs. The current fee structure for the 911 call center is cities (such as Hastings) are billed directly for their 911 activity. The 911 call center costs attributable to the rural areas is paid by the County and spread out on a prorata basis across the County. That allocation formula attributes costs to cities that are already paying for their own 911 costs. Dakota County estimates Greenvale Township's financial contribution to this funding proposal to be \$3,613 for 2024, increasing by \$3,613 for the next four years until the full funding level of \$18,666 is reached in the year 2028. Dakota County is proposing a new Joint Powers Agreement for the 911 call center to include townships and small cities and further requests a seat on the 911 call center board to represent both. The reallocation of costs is intended to free up budget monies at the County level to pay for the addition of three (3) Sheriff's Deputies.

Anderson shared his personal thoughts on the proposal. He repeated the costs as estimated by the County and noted costs are sure to increase going forward and this will impact everyone's property taxes. The first responders in the rural areas are stretched extremely thin. For each shift, there a supervisor on duty and only one deputy covering the portion of the County west of US Hwy 52 and one deputy covering the east side. These costs will not go away, but we need law enforcement protection in our township.

The Board will take comments from citizens at this meeting and before the August 17 meeting, at which time the Board expects to take a vote on this matter. Rowan asked that the letter Anderson read be mailed to the residents and asked that Commissioner Slavik and Sheriff Leko attend the August 17 meeting. Rowan made a motion to send the letter and extend invitations, Anderson seconded. Motion carried 3 – 0. Anderson said he would add a few items to the letter and have Dilley distribute to Roehl and Rowan for their approval for sending.

#### Comments from citizens:

Alison Bartlett attended the open house in late June. Sheriff Leko shares the department did a study in 2018 – 2019 that showed the department needed to add four deputies. They were able to hire one in 2020 but left 3 positions short. It should be noted the study was done before the violence surrounding the George Floyd incident, before the current mental health crisis, before CoVid and before the current level of lack of respect for law enforcement. By Minnesota law, the Sheriff's Department is to provide security for the County Courthouse, the County jail and is responsible for prisoner transport. The Sheriff's department has 87 employees. After coverage for the Courthouse, jail and prisoners, there are 20 deputies to

cover all shifts of the rural patrol area. Mental health calls are increasing and are taking longer. Deputies need time off for their own mental health and current staffing levels make this difficult. Sheriff Leko shared the example of Carver County as something he does not endorse – they do not send deputies out unless there is a material theft of \$1,500 or greater. Leko went to Mike Slavik about the need for more deputies who discussed this with the rest of the County Commissioners. The other Commissioners expressed they were not willing to have the Cities (with their own police forces) pay for any additional rural law enforcement. Bartlett sees two options: 1) join the Joint Powers Agreement, increase our tax and benefit from lower law enforcement wait times; the deputies benefit from the mental health and community support; or 2) do not join the Joint Powers Agreement, save tax dollars but potentially spurning County leadership and the Sheriff's Department. She thinks this option does not give the Greenvale community peace of mind being supported by law enforcement. Bartlett shared a personal experience calling for emergency services in 2017 for their young child. The Sheriff's deputy arrived before the ambulance, but it still took 15 minutes. The Sheriff's department continues to experience more calls, with more homes spreading into the rural area – are we ready to take the risks associated with insufficient law enforcement presence - are we prepared to defend ourselves, dealing with crime and other emergencies. Bartlett noted in some jurisdictions, ambulance staff won't enter an area until it has been deemed safe by law enforcement. Bartlett recalls a mailing from Dakota County about opioid lawsuit settlement monies with an online survey asking for input on how those monies might be spent. She is interested if Mr. Slavik has information on the results of the survey – might these monies be used to supplement the law enforcement budget. Bartlett located an online report showing that within Dakota County, without taking into account the cities such as Burnsville, Inver Grove Heights, Eagan, Lakeville for example, there is \$10

million available to the rest of the County as part of the settlement. Has this resource been considered?

Anderson thanked Bartlett for her excellent comments. He further commented that the Minnesota State Legislature has a significant say in how tax dollars are spent, using the recent sales tax increase and how it will be allocated. Dakota County is projected to generate \$90 million in additional sales tax revenue but only \$7 million will be used in Dakota County.

An audience member (unidentified) remarked this seemed like an easy decision – levy for this cost the way we do for fire. Anderson said we can absorb the first payment but the levy for 2023-2024 has already been set. We would need to levy for this cost for 2024-2025 in order to see any additional tax receipts.

Anderson asked Roehl and Rowan for their comments. Rowan said it was brought up each township could contract with a local government with a police force – for Greenvale it would be the City of Northfield. Rowan volunteered to get it touch with Police Chief Mark Elliot to get an idea of costs.

Committee reports:

Broadband – in addition to Lorn Manthey, Sara Lofgren has joined the Broadband Committee. Anderson has been working with Dakota County to tap their resources on Broadband and hope to meet with County staff before the next Board meeting.

Picnic committee – Mary Collins spoke on behalf of the committee. The picnic will be Saturday September 23<sup>rd</sup> from 4:00 – 7:00pm at the Greenvale Town Hall. Postcards will be mailed out in August or early September.

Plans include live music, pulled pork sandwiches and beverages. Attendees are asked to bring a dish to share. Volunteers are welcome!!

North Cannon River Watershed Management Organization – Wayne


Peterson spoke about the most recent meeting. The summer tour started with a visit to one of the monitoring wells in Waterford Township, which is one of fifteen wells installed in the last two years to measure water depth and various chemicals. Additional wells have been installed by the MDA. The wells and the accompanying data are part of a Dakota County program called ACRE (Agricultural Chemical Reduction Effort). Reports are available online on Dakota County's website by searching for "ACRE." There was an overview of Dakota County Ordinance 50 which regulates shoreland development. Additional highlights included an update provided regarding the Model Mining Ordinance. Frank Wergin, Waterford's representative on the NCRWMO, shared information about a new mining proposal in their township. The new mine would be 140 feet deep and could dewater sloughs and ponds close by. An article from the Star Tribune was shared concerning the shifting of geomagnetic poles which are changing because of groundwater being pumped and the resulting change in the weight ratio of the earth. The 2022 Water Quality Monitoring Report was reviewed. Peterson will leave a copy at the sign in table. The fourth generation Watershed Plan for NCRWMO was adopted; revenues and expenses were presented.

Inspectors: Greenvale Township's contract with MNSpect, our building inspector, is up at the end of December. Darrel Gilmer is our septic inspector and we do not have a contract with him, but he has indicated his desire to retire. We will need to send out proposals to entertain candidates/organizations for both of these inspector positions. Anderson made a motion to send out Requests for Proposal (RFPs), seconded by Roehl. Motion carried 3 – 0.


City of Northfield – several citizens received letters from the City which have led to some confusion. It appears the area being studied has already been annexed by the City. The City and X-cel Energy are performing a study with possible future use for an industrial park or technology center. The end of the public comment period is August 17. Rowan is part of a Northfield Advisory Committee for Roads but wasn't able to attend their recent meeting. He is getting the materials from the meeting. After he reviews the materials, he will leave them at the town hall for Anderson and Roehl to look at.

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

Submitted:

  
Jane Dilley  
Town Clerk

Approved:

  
Charles Anderson, Chairman  
Board of Supervisors