

**Greenvale Township Board of Supervisors
Work Session and Meeting Minutes
Thursday, November 17, 2022**

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

Others Present: Ken Malecha, Gregory Langer, Mary Collins, Perry Collins, Mary Langer, Linus Langer, Andy Anderson, Kim Anderson, Jerry Gehler, Carolyn Fott, Jess Bodnar, Cindy Roehl, Maynard Bolton, Eric Christianson, Jerry Bolton, Scott Norkunas, Joyce Moore, Tom & Bev Wirtzfeld, Mark & Lisa Legvold, Ron & Jenn Welbaum, Bruce Paulson, Vickie Tyler, Victor Volkert, Alison Bartlett, Erv Ulrich, Bernard Budin, Judi Malecha, Linda Wasner, Mary Mittelstaedt, Donavin Prescott

The Board opened a work session at 6:00pm to discuss and review agenda items before the regular meeting.

Opening of the Meeting:

Chairman Anderson called the meeting to order at 7:00pm with the Pledge of Allegiance. The audience was reminded sign the attendance sheet and to silence their electronic devices.

Approve Agenda: A motion was made by Anderson to approve the agenda. Roehl seconded. Motion carried 3 – 0.

Approve Meeting Minutes: The September 7, 2022 minutes were reviewed. Anderson moved to approve the minutes. Roehl seconded. Motion carried 3 – 0. The October 20, 2022 minutes were reviewed. Anderson made a motion to approve the minutes. Motion was seconded by Rowan. Motion passed 3-0.

Introductions: Jenny Nelson, a Greenvale resident, is a new member of the Northfield School Board, but has been actively involved in the schools for many years. She and Jeff Quinnell (grew up in neighboring Waterford Township) are contacting the 10 townships that are part of Independent School District 659 (Northfield) to inform people the school board intends to put a question on a ballot for one of the spring months in 2023 for a

bond to build a new high school. Jeff advocates for making design and construction changes to the existing building. Special focus on the HVAC system. In 2018 the estimate for a new high school was \$80 million. In 2022, it is up to \$120 million.

Citizens comments: Clerk Dilley received a letter from Erv Ulrich earlier in the afternoon which described his reasons why he is against the Safe Harbor (Nonconforming Land Uses) draft ordinance.

Mark Legvold said the 120 day registration window will allow new businesses to come in willy nilly. He urges the vote on the ordinance be postponed and send it back to the Planning Commission.

Terry Mulligan owns commercial property along Highway 19. He made an appointment with the Clerk to review his file. The file contains a majority of his personal documents, but none of his commercial documents were in the file. The Clerk could not locate a separate file just for his business, or for any other business. The file room is just a mess. One argument for building a new Town Hall was to get all the files in one place. Mulligan urges the Board to get to the bottom of this and take action to locate these files. In the meantime, he urges citizens to come ask to look at your files. He also urged the passage of the Safe Harbor ordinance. This has been kicked around for too long.

Clerk's report: Dilley reported on the November 8 mid-term election. The technology did not cooperate when it was time to transmit results to the County. Ruth and Bruce Paulson made the trip to Hastings to hand deliver our results as well as return election equipment. Our thanks to them!

Dilley has scheduled training at MNSpect in mid-November. She and Wayne Peterson are attending Clerk and Treasurer MAT training in Mankato.

A schedule of proposed 2023 regular board meeting dates for the third Thursday of the month was presented. The Dakota County Township Officers Association typically holds their fall meeting on the third Thursday in September. Therefore, the September meeting will be held the previous day on the third Wednesday of the month.

A resolution declaring the Town Hall as our polling place for 2023 was presented for signature. A public notice will be published in mid-December about the upcoming township elections.

Anderson made a motion the Clerk should be paid \$25/hour for extra hours like the Treasurer's position is paid. Roehl seconded. Motion carried 3 – 0. Dilley thanked the Board for this decision.

Treasurer's Report: Treasurer Wayne Peterson reported on the township's financials as of October 31, 2022. Beginning balance for checking was \$55,348.55, deposits were \$27,438.52, cashed checks were \$26,996.69 for a balance of \$55,787.38. There were outstanding checks of \$2,549.32 for a reconciled balance of \$53, 238.06. Our savings total \$250,656.90 and two CDs total \$54,124,52. Overall township assets are \$358,019.48. Rowan made a motion to accept the Treasurer's Report; Roehl seconded. Motion passed 3-0.

Report of Roads and Construction: Jerry Bolton says it has been too dry, then too wet and then too hard to do any effective grading.

The County is making good progress on both 280th St W and 320th St W. Wendy Bolton feels the road closed signs are a hazard and should be taken down. The signs are still up because the roads, although passable, are still officially closed.

Planning Commission (PC) Report: PC Chair Ken Malecha reported there were no permits presented to the PC. The PC approved and recommends the Board approve a land split agreement between Adam Winter and Robert Winter. The PC held a public hearing on November 10, 2022 for the Nonconforming Land Use proposed ordinance. Steve Grittman, our planner, was in attendance. It was well attended.

Malecha reported the PC then opened their regular meeting. Mark Legvold prepared language to amend the Planning Commission Policy and Procedure Manual to document a procedure for updating the Green Book when there are parcel splits. The Planning Commission approved this language and recommended the Board do so too. Anderson made a motion to approve, seconded by Roehl. Motion carried 3 – 0.

The PC then reviewed comments from the Public Hearing. The PC made a recommendation to the Board to adopt the Nonconforming Land Use ordinance by a 5 – 0 vote.

Building/Grounds: Roehl reported the septic alarm went off on Election Day. It will be pumped soon.

Old Business: Return of Township property: Mike Couri was present to bring the Board up to date on efforts to obtain township property from Linus Langer and Greg Langer. Greg Langer challenged a line item in Couri’s report of activities and corresponding costs. Couri is working with Linus Langer’s attorney to find an independent but experienced township person who would be able to review Langer’s emails and make a quick determination what emails are township and which are personal. One of the clerk trainers at the Minnesota Association of Townships is under consideration for this role. This at the expense of the township. Couri said Greg Langer indicated he did not plan to turn over any documents, that what he has are copies and originals are in the Town Hall. The Board set a deadline of the next board meeting for a final resolution regarding Linus Langer. If there is not a resolution, the matter may be turned over to the court system.

Website: Anderson reported an agreement was reached with Donavin Prescott to sell the township’s domain name to the township and take over website administration. The agreed upon price is \$5,000. Couri authored a contract for the sale between Prescott and the township. Anderson made a motion to proceed with the sale, seconded by Roehl. Motion carried 3 – 0. Prescott was present at the meeting and signed the contract.

Grant Status: Rowan deferred to Ken Malecha as this now becomes a project of the Planning Commission. Malecha has been in contact with Maggie Dykes.

Audit: Nothing new to report.

Alternative Energy Source ordinance: Anderson made a motion to pass the Alternative Energy Source ordinance. Seconded by Roehl. Carried 3 – 0. Anderson then directed the Clerk to do a summary publication of the ordinance as soon as possible. Once published, the ordinance is official.

New Business: Township credit card: Wayne Peterson presented a request in concept for a township credit card. Online purchasing of many items makes this a reasonable approach. As it relates to software purchased, if a township credit card is used, it is clear the township made the purchase and the township owns the software. This is in contrast to an elected or appointed official making the purchase personally and submitting an expense reimbursement. Peterson will return in December with a proposal.

North Cannon River Watershed Management Organization (NCRWMO): Greg Langer has been Greenvale's representative on the NCRWMO for ten years. Sandy Weber from Castle Rock Township is the chair. He presented materials for the Board to look over. Our membership dues are going up. Ashley Gallagher is a Resource Conservationist from Dakota County, and she will visit with us in the spring. The 2023 NCRWMO budget was approved. The next meeting is February 1 at the Eureka Town Hall. Langer also asked permission to post a flyer for Dakota Village at the Dakota County Fairgrounds. The Village is presenting Christmas in the Village December 3 – 4 and December 10 – 11.

City of Northfield: Anderson reported the City of Northfield may be approaching Greenvale about further annexation – a five-acre parcel near the intersection of North Ave and County Road 23.

New Business:

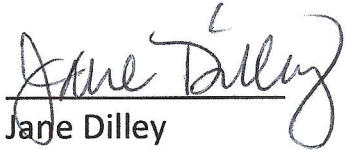
Nonconforming Land Use ordinance: Couri made a change to the ordinance to reflect "existing" businesses are eligible to apply under the ordinance; the previous language used the word "qualified." Anderson made a motion to approve the ordinance. Roehl seconded it. Roehl said this has been a long time coming. Rowan said he thinks we are fixing the ordinance the wrong way, it puts the cart before the horse. Roehl said the ordinance makes it clear about no new businesses unless we change our ordinances when we amend them to agree with the Comprehensive Plan. Anderson called for a vote. Roehl – yes; Rowan – no; Anderson – yes. Motion carried 2 – 1.

Anderson directed the Clerk to get the application posted to the website and remove the word proposed from the ordinance name on the website. A motion was made by Anderson the fee for applying is \$200, nonrefundable. Roehl seconded. Motion carried 3 – 0. Anderson requested the Clerk produce a summary publication of the ordinance to run in the newspaper.

Review and approve Claims: The board reviewed the claims for the month. Anderson moved to pay claims as submitted, Rowan seconded.

Adjourn: Anderson made a motion to adjourn the meeting, Roehl seconded. Motion passed 3-0. The meeting was adjourned at approximately 9:00pm.

Submitted:



Jane Dilley
Town Clerk

Approved:



Charles Anderson, Chairman
Board of Supervisors