

**Greenvale Township Board of Supervisors
Work Session and Meeting Minutes
Wednesday, September 14, 2022**

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

Others Present: Perry Collins, Mary Collins, Gregory Langer, Andy Anderson, Carolyn Fott, Jerry Bolton, John Fink, Maynard Bolton, Scott Norkunas, Dean Odette, Bruce Paulson, Dick Moore, Jennifer Welbaum, Ron Welbaum, Terry Mulligan, Lois Berg, Richard Fott, Tom & Lori Robey, Chad Bolton, Bobbi Bolton, Teri Jensen, with National Land Realty, Kurt Hembd, Mark Legvold, Mike McNamara, Judi Malecha, Ken Malecha, Matt Robey, Ryan Blumhoefer, Linda Wasner, Jessica Bodnar plus two illegible signatures

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: The agenda as revised was approved by a motion from Anderson, seconded by Roehl. Motion passed 3-0.

Approve Meeting Minutes: The August 18 minutes were reviewed. Supervisor Rowan asked for a correction to the draft minutes to reflect he was not involved in decisions were made on a conference call and in emails regarding the Township's response to an inquiry letter from TK Properties. A second correction was made regarding a motion to forward our Comp Plan and Ordinance Manual to the planner. This action is intended for the upcoming grant to be used for this purpose. Supervisor Rowan's motion will

be retracted. The corrections were made at the end of the meeting, and the minutes were approved by a motion from Anderson, seconded by Rowan. Motion passed 3-0.

Introductions: none.

Citizens comments: Mark Legvold asked to speak. He is concerned about the integrity of the process related to a proposed ordinance amendment addressing business in our township. Our ordinances state – Chapter 8, Section 2 – that a fee should be collected from the landowner that brings forth the request for an ordinance change, yet no fee was collected. Legvold is concerned that public money will be spent for the benefit of the few. If this is the Board’s intent, they need to be clear about it. Legvold further commented that he had a private conversation with Supervisor Anderson about his August 2 letter sent to residents. The statement that current members of the Planning Commission (PC) were invited to re-apply for appointment to the PC is not true. Anderson spoke at the September regular PC meeting and described his statement as a difference of opinion and declined to discuss it further, lacking transparency. The PC is now moving forward with a Special Meeting to discuss the business ordinance. While it is important, it is not urgent per Legvold. Anderson owns a business in the township, and this gives the appearance of self-interest. Doing things properly and honestly in government takes time, a process that shouldn’t be rushed. Legvold is open to a thorough review of the proposed ordinance but at a different pace. “Don’t take the wrong road to the right objective.”

Gregory Langer asked about the road reports that used to be on display on the resource table. As a citizen, Langer requested the road reports be removed from the office and put back on display. Langer then said the message board door was open when he came to the Town Hall to look for meeting notices. Not having a key, he created a temporary fix. Dilley explained that the last time something was posted, the door was warped and could not be locked. Langer offered to assist Dilley after the meeting.

Erv Ulrich asked to speak. He is a 13-year resident of Glenview Estates. He believes the township should do not more than allow Glenview Estates the opportunity to approach and negotiate their own deal with the township's road contractor. Concerned about setting a precedent. Ulrich stated the Glenview Estates HOA is not a legitimate association and shared his personal experience with a delayed building permit process, resulting in higher costs for the building he was constructing.

Wendy Bolton spoke next, asking about the Town Hall being re-keyed. Interested to know why it was rekeyed and who now has keys. Dilley replied that the existing key log was unclear who had what keys. Bolton asked why she sees non-Board members in the office. Anderson said people would only be in the office with a PC or a Board member. Dilley and Eric Christianson are both maintaining the new key log.

Clerk's report: After the last board meeting, Dilley went to Castle Rock Bank and our signature card is now up to date. In a prior meeting it was suggested that the Minnesota Association of Townships (MAT) has a draft resolution for townships to use with banks. They do not have a draft resolution and told Dilley most townships use their approved meeting minutes. Signature cards will need to be completed for Community Resource Bank for the township's certificates of deposit (CDs). The authorized signers at both financial institutions for checking, savings and CDs are one Supervisor (Anderson is primary, Rowan is secondary) and both the Clerk and the Treasurer.

Dilley previously offered to set office hours. She intends to work at the Town Hall, and can keep a schedule if it works for the citizens. Both Castle Rock and Eureka Townships have posted hours. Preliminary schedule 10:00 – 12:00 Wednesday, Thursday and Friday. Once hours are set, post this on the website.

A Township cell phone for the Clerk has been obtained. Phone number is 507-321-9311. Want it posted on the website ASAP.

Anderson asked about the clerk transition. Trying to prioritize projects. There is a lot of work to be done in the file room, along with the four boxes of papers the former clerk had at his home. Papers need to be sorted by major topics (elections, permits, minutes, etc.) and then by year. Anderson suggested recruiting people to help when the time is right.

November 8 election is coming up. Judges are being scheduled. A final roster will be presented to the Board in October.

Minnesota State Statute requires the Clerk and the Treasurer provide a bond to the township. Online research says this falls under each County Auditor. Dilley will inquire with others at the Dakota County Township Association on September 15. Anderson suggested contacting MAT.

At the March reorganization meeting, the Board said it would post meeting notices on both the outdoor message board and the township website. Website updates have not been timely on a consistent basis. Dilley suggested the reorganization plan be altered to not require meeting notices on the website but be done on a best effort basis. Donavin Prescott owns the website. The Township needs to take ownership of the website. Anderson made a motion he be allowed to talk with Donavin about purchasing the website, seconded by Rowan. Motion passed 3-0. Gregory Langer expressed concern "if it isn't broken, don't fix it." Anderson sees his point but it is recommended Townships own their own websites. Anderson thought MAT could be a resource on this. A motion was needed to amend the reorganization plan. Anderson moved that until we control our own website, meeting notices will be posted on a best effort basis. Motion was seconded by Roehl. Motion passed 3-0.

Dilley talked about a fee schedule for various types of permits. She is learning of permit fees as permits come in the door. Peterson reported the Right of Way (ROW) fee is \$250; \$150 non-refundable inspection and \$100 escrow to

be returned upon successful completion. Gregory Langer recalls the town board approved the fee and it is included in the Annual Road Reports.

Minnesota Department of Labor and Industry (DOLI) informed Greenvale we had not filed a required annual report with their entity for the year ending 2021. Dilley has a link to the State's website to complete the report and will talk to MNSpect if there is a report that provides the data the report needs.

Dilley then asked about the Township's responsibilities related to septic compliance. Roehl stated the County sends notices every three years about pumping. Rowan said septic compliance would be a topic at the Dakota County Township Officers Association meeting being held September 15. Anderson said Dakota County has a grant program for persons with problem septic systems. Up to half the cost can be covered by the grant with certain income limitations. Rowan reported the link to Dakota County is on Greenvale's website.

Treasurer's Report: Treasurer Peterson reported an August 1 checking balance of \$110,607.34, deposits of \$4,381.78, checks cashed of \$40,381.76 for an August 31 balance of \$74,607.36. There were outstanding checks of \$13,658.59 making a reconciled balance of \$60,948.77. Savings total \$250,026.70; CDs are \$54,124.52. No monies in the 4M fund. Grand total is \$365,099.99. Anderson made a motion to accept the Treasurer's Report; Rowan seconded. Motion passed 3-0.

Report of Roads and Construction: Jerry Bolton reported that 2 – 3 miles were graded on 290th St. and a couple spots on Holyoke and Isle. Bolton expressed concern when the County reopens 320th St. (at Foliage/Cedar Ave) there will likely be accidents. Many drivers headed southbound on Foliage have not been looking at traffic headed eastbound on 320th. Foliage Ave has the stop sign; 320th St W is a through road. He will alert the County to this upcoming concern. Box culvert availability is an issue, delaying the completion of 320th. The culvert installation on the west end of 320th will be the most challenging as it is the deepest elevation. Mailboxes have been

relocated for the 320th St project and are grouped together at various locations. Vandals have gone through these mailboxes even though they are close to residences.

Bolton went on to report next year County Road 86/280th St W will be closed from the Castle Rock Mini Mall out to Highway 3.

Planning Commission (PC) Report: PC Chair Ken Malecha presented actions taken at the September 8 PC meeting.

Matt Robey's request for an ag shed was recommended for approval. Rowan made a motion to approve, Anderson seconded. Motion passed 3-0.

Jeremy Johnson's request to construct a single-family home on 305th St. W was recommended for approval. Anderson made a motion to approve, Roehl seconded. Motion passed 3-0.

St. Olaf College, represented by Ryan Blumhoefer, presented a 5 acre split on property north of the hospital. Approval recommended by the PC. Anderson made a motion to approve, Rowan seconded. Motion passed 3-0.

The Hofschulte Family Trust presented a request to the PC to move a building right from the south quarter-quarter of the parcel to the north quarter-quarter. The PC recommends approval of the request. Anderson moved to approve the request; Roehl seconded. Motion passed 3-0. The documents presented require the signature of the Clerk and the Chairman of the Board of Supervisors. Mary Collins was present to serve as a notary public for the signing.

The PC had set a date for a public hearing on the Energy Ordinance, but there was an issue with publication deadlines. The public hearing is now scheduled at 6:00pm on Thursday October 13, the same day as the regular PC meeting.

The PC has set the date of September 22 at 7:00pm for a Special Meeting. Planner Steve Grittman will be present to go through his comments on the proposed ordinance for businesses in the township. Malecha asked for approval for Grittman's attendance. Anderson made a motion to approve. Rowan asked about the funding for this. Malecha said the ordinance manual allows the town board or a landowner to propose an ordinance change. The Township has already funded ordinance changes for the moratorium, lot of record and solar ordinance. Anderson suggested to charge a fee to each business that registers under the ordinance to cover the overall costs, meaning the Township would not be fully funding this ordinance change. Legvold asked who would enforce the fee collection. An audience member asked if a letter would be sent to all residents about the public hearing. Anderson repeated his motion to invite Steve Grittman to the September 22 meeting. Roehl seconded. Motion carried 2-1. Rowan voted no as the issue of fees.

Malecha presented a request to the Board to obtain printed copies of the full Comprehensive Plan, as there are no copies in the Town Hall. Our former planner, Bolton & Menk, quoted a fee of \$300 to print five copies and a memory stick. Anderson made a motion to approve the expenditure, Rowan seconded. Motion carried 3-0.

Malecha also addressed the differing provisions of the Comprehensive Plan and our ordinances. PC member Scott Norkunas spoke about these differences at the September 8 PC meeting and his comments are part of those minutes.

Anderson commented the reason the township is paying for an energy ordinance is because permits were issued for solar projects without there being a provision that allows them. This makes the four permits issued without specific language in the ordinance legal. Legvold reiterated his concern about the township fronting money to cover the costs of the business ordinance, as it will benefit few members of the community, and does not permit new businesses to open in the township. The issue was discussed

amongst audience members. Tom Wirtzfeld suggested this is an issue to bring up at the public hearing and requested we return to our township meeting.

Building and Grounds: Roehl offered a motion to authorize the re-keying of the building. Anderson seconded. An audience member pointed out it was after the fact. Gregory Langer asked why the request was made to turn in keys when the building was going to be re-keyed. Dilley replied that when she made the request that former clerk Langer return his keys, the state of the key log was not known. Anderson requested a roll call on the motion. The motion passed 3-0.

Roehl and Eric Christianson investigated the cost of mud jacking the front sidewalk. Costs range from \$250 to \$1,000. Anderson asked how much it would be to replace the two slabs. The Board suggested quotes on a full replacement. Dilley requested the work be done by election day if possible.

A locking mailbox vs a Post Office box – Castle Rock or Northfield was discussed.

Roehl asked about plans for the landscaping project scheduled for Saturday, September 17 at 9:00am.

Roehl will make arrangements for the restrooms be cleaned before the picnic.

Old Business: Jennifer Welbaum talked about the upcoming township picnic scheduled for Saturday September 24 from 4:00 – 7:00pm. A second reminder postcard was mailed this week. The township is providing pulled pork, cake, lemonade, coffee, water. Please bring a dish to share. There will be activities for the children and live music. We also want to display Greenvale Township photos – so please bring pictures of events in the township or the beauty of our area. Volunteers are needed to help set up in the morning.

No news to share on the audit request to the State Auditor. Dilley checked with Castle Rock Township about their audit at the suggestion of Victor Volkert. They are in the preliminary states – they have not yet decided on the scope of the audit. Volkert suggested we get the names of the firms Castle Rock has under consideration.

Rowan made a motion to recant his motion from the August board meeting to send our Comprehensive Plan and ordinance manual to Steve Grittmann. It is our intent to use upcoming grant money to fund this undertaking. Therefore, we cannot take action on this now. The County Commissioners approved the grant. We will be receiving a letter to sign and return. The grant amount is \$15,000. Anderson seconded Rowan's motion. Motion passed 3-0.

Rowan requested a motion to authorize someone to sign the Dakota County grant letter. Anderson made a motion that Rowan be selected to sign the letter as he has been the primary person working on the grant. Roehl seconded. Motion passed 3-0.

Glenview Estates made a formal request to have the township take over snowplowing their roads. This does not involve taking over maintenance. Fred Vivant was present to represent the group. Anderson expressed concern about the functionality of the HOA based on previous audience comments. Vivant stated they are a legitimate organization with officers and minutes are kept of meetings. At the request of Rowan, Vivant will supply the Clerk with the latest minutes showing the officers of the HOA. Glenview Estates was asked to pay up to \$200 to cover legal costs of having a snowplowing agreement drafted. Rowan made a motion to move forward, Anderson seconded. Motion carried 3-0.

Anderson asked if a contract had been supplied by our planner. We have not seen anything.

New Business:

An audience member asked when the Special Meeting for TK Properties will take place. Anderson said it is scheduled for September 28 and will be posted.

We received notice from Dakota County about a county wide clean up date scheduled for October 8. Details on the Dakota County website.

Asked who should contact the County about concerns at the Foliage and 320th St W intersection. Rowan said he would handle it.


Review and approve Claims: The board signed claim checks.

Adjourn: Anderson made a motion to adjourn the meeting, Roehl seconded. Motion passed 3-0. The meeting was adjourned at approximately 9:30pm.

Submitted:


Jane Dilley
Town Clerk

Approved:


Charles Anderson, Chairman
Board of Supervisors