

## MINUTES

**Present:** Chair Mike Klingelhutz, Vice-chair Cathy Nielsen, Supervisor Pete Parris, Clerk/Treasurer Leanne Kunze, Public Works Technicians Brian Lawrence and James Schilling.

**Public Works Work Session** was called to order at 1:03pm

### Roads

- Airport Road – staff provided update on communication with public works staff at the City of Waconia. Staff recommends chip sealing project stop at Findley's driveway as Waconia reports development in the very near future will trigger Carver County to construct Co Rd 92 extension from Hwy 5 to Co Rd 10 – including a roundabout at the Airport Road intersection. Condition of Airport Road is good. Should development slow and the planned roundabout intersection is not built in the next couple of years, the remainder of Airport Rd would be fine waiting until the next cycle of chip sealing. Note: Board prefers whole road ROW if only one side of road is annexed.
- Composting dates – May 16, 18, and 20<sup>th</sup> at the township hall. Staff will mail postcards to all residents.
- Staff presented quotes for dumpster service for the Spring composting event. Staff recommends Waconia Roll-off for \$390.00/dumpster.
- Staff presented quotes for crack fill work on identified township roads. Staff recommends Gopher State Sealcoat for \$11,400.00
- Staff presented quotes for Spring and Fall 2023 sweeping of asphalt roads. Staff recommends Quality Sweeping at \$140.00/hour due to the efficient equipment that includes vacuum in addition to brush with past projects completed in approximately 10 hours.
- Staff presented quote from Schneider Excavating for shoulder discing work and also reported not being able to locate additional providers of this unique service. This is the same contractor used in the past and rates appear to be increasing by approximately \$5-10/year. Staff reported quality work and efficiency of project being completed in approximately 4-5 hours last year. Staff recommends approving this quote at \$170.00/hour.
- Reviewed ROW permit applications from Metro Fibernet, LLC (dba MetroNet) laying cable as shown on two (2) maps involving 3 township roads: 102<sup>nd</sup> Street, Knight Avenue, and Little Avenue. Staff recommends approval. Board noted the need for three permits versus two. Staff will inform applicant of the need for 3 permits for 3 township roads.
- Discussed upcoming Annual Road Tour set for April 25, 2023, with road engineer Ron Bray from WSB. Staff recommends heavy focus on driving all asphalt roads with board members. Staff noted a couple other areas will be evaluated with the road engineer later in the day. Board members discussed the importance of documentation of all maintenance and concerns noted on all town roads so we have the ability to provide history and to incorporate recommendations into the road plan. Board noted that Ron Bray (WSB) reviewed and approves of the Road Policy. Board requested Clerk to participate in the Annual Road Tour to capture official record of each road's condition and engineer's

recommendations for board consideration. A recap was confirmed that the asphalt roads will be reviewed with the Board, followed by the remainder of roads to be reviewed by staff with the engineer. It was also confirmed that the Board will be along for a stop-and-walk in the Bavaria neighborhood where residents were requesting improvements during the 2023 Annual Meeting. Another area where a resident has raised concern is at Co Rd 140 and Little Avenue - Brian agrees some work needs to be done.

### Equipment

- Plow: Staff reports the mounting bracket on the plow needed to be replaced. Welds broke and twisted this part that takes all the impacts of the truck/plow.
- Truck: Staff reports new cables installed due to an electrical issue where plow wouldn't pick up.
- Truck: Staff reports a noticeable wobble/steering issue and will be taking it in to Ford to get checked out.
- Grader: Staff reports 20-year-old hydraulic cylinder leaking. Its disconnected – only the front V-plow needs it and haven't needed to use the V-plow for a while. Staff presented cost estimate for CAT or RMS to repair, and also provided cost for a new cylinder that could be installed by staff. Board authorized staff to proceed with ordering the part for \$576.00 in lieu of repair estimated around \$1500.00 and expense should be billed to the Equipment fund.
- MATIT insurance coverage (renewal estimate) will be reviewed to ensure updates have been noted. Board requested staff take photos of contents in each building for insurance purposes, and to increase the personal property value to \$60,000.00 (page 2 of estimate).

### Sewers

- 201 Sewer System:
  - Motor went out on a lift station – repaired – received call from resident informing us of the alarm.
  - Air release work is getting done separate from jetting (staff can go back later for jetting after the contractor is done so as not to interrupt their work).
- Staff presented quotes for the four (4) remaining air releases. Staff recommends DigRite Excavating.
- Staff presented quotes for replacement of Reitz Lake control panel where wires are corroding and breaking. Staff recommends Nelson Electric Motor Repair at \$5,000.00 and notes this project is able to be completed in less than one day.
- Staff shared 2023 rates for emergency pumping services should we need to contract for services in a sewer emergency. Both contractors have been used in the past.
- Staff reported the following warranty repairs made by Innovative Support Works (10 yr warranty):
  - Fixed manhole on Oakwood Drive that had shifted and cracked
  - Patched a pinhole leak at a lift station

### Miscellaneous

- MnWARN program: Discussed participation in MnWARN mutual aid program for water, wastewater, and storm water utilities. Discussion included review of program, town attorney feedback, MN Statute relating to Joint Powers, review of the MnWARN draft Agreement, and examples where other entities adopted equipment rates greater than the default FEMA rates. Staff report MnWARN is of benefit to the township to participate. Board requested staff input on whether they would agree to respond to another entity if requested via MnWARN. Staff was not against it, and clarified it is a



decision that will likely need to be made on a case-by-case basis to ensure the work of the township is also able to be performed. Chair Klingelhutz stated for the record that the Board would not order staff to respond and would seek staff input if/when MnWARN were to reach out.

- Reviewed email communications between Chair Klingelhutz and Tim Sundby of Carver County WMO re: clay cliffs (Lake Waconia). No meeting is needed to discuss further – we made CCWMO aware of the concern raised.
- Discussed the notices of grant funds available for Safe Roadways (SS4A) and Wildlife Crossings (FWWA). Discussed turtles crossing near Abbywood neighborhood noting homemade signs (by resident) to alert traffic. Also discussed several areas throughout the township where deer cross. It was not deemed appropriate for us to seek further information or consideration regarding these project funds.
- Staff received an uncouth text message - during this meeting - from a resident upset about drainage near Lakewood Circle. Supervisor Parris will accompany staff to visit the complainant on Tuesday, April 11, 2023, at 2:30pm.

**Regular Meeting** was called to order at 3:12pm

**Regular Meeting Agenda** was adopted as amended.

- **Add:** Consider quotes for dumpsters for Spring Composting, and consider 3<sup>rd</sup> permit requirement for MetroNet.

**Motion** by Chair Klingelhutz to adopt the agenda as amended.

**Second** by Supervisor Parris

**Motion carried** (none opposed)

**Open Forum (left open until 3:30pm)** is an opportunity for citizens to discuss issues with the Board on items not on the agenda. Individuals are asked to limit their comments to 5 minutes. The Chairman may limit the number of speakers discussing the same issue. The Town Board will take no official action on items discussed at the Open Forum. Items discussed at the Open Forum may be referred to staff for possible consideration at a future meeting.

**There were no residents/visitors in attendance.**

#### Minutes

- Special Meeting Minutes (Bolton & Menk at City of Victoria) – March 9, 2023

**Motion** by Chair Klingelhutz to approve the Special Meeting Minutes from March 9, 2023.

**Second** by Supervisor Parris

**Motion carried** (none opposed)

- Regular Meeting Minutes – March 27, 2023

**Motion** by Vice-chair Nielsen to approve the Regular Meeting Minutes from March 27, 2023.

**Second** by Chair Klingelhutz

**Motion carried** (Supervisor Parris abstained)

- Special Meeting Minutes (Bolton & Menk at City of Waconia) – April 6, 2023

**Motion** by Supervisor Parris to approve the Special Meeting Minutes from April 6, 2023.

**Second** by Chair Klingelhutz

**Motion carried** (Vice-chair Nielsen abstained)

#### Financials

- Payment of Claims: #13665-13687 totaling \$22,382.32

**Motion** by Chair Klingelhutz to approve payment of Claims 13665-13687 totaling \$22,382.32

**Second** by Vice-chair Nielsen

**Motion carried** (none opposed)

- Schedule 1 Treasurer's Report

**Motion** by Vice-chair Nielsen to accept the Schedule 1 Treasurer's Report as adjusted to reflect General Fund Disbursements of \$127,179.37 and total Disbursements of \$315,874.49 (re: correct EFT 23-35c payroll amount)

**Second** by Chair Klingelhutz

**Motion carried** (none opposed)

- Receipts Register: \$3,368.86

Chair Klingelhutz noted the Receipts Register has been received and reviewed.

- March bank balancing

Chair Klingelhutz noted the March bank balancing was received and reviewed.

- 1<sup>st</sup> Quarter budget report

Chair Klingelhutz noted the 1<sup>st</sup> Quarter budget report was received and reviewed.

Board likes the format showing quarterly progress and would like to continue to receive quarterly reports.

#### New Business

- Considered Resolution 2023-07 MnWARN Program

**Motion** by Vice-chair Cathy Nielsen to approve Resolution 2023-07 to participate in MnWARN.

**Second** by Supervisor Parris

**Motion carried** (none opposed)

- Considered ROW Permit application from MetroNet for 102<sup>nd</sup> St, Knight Av, and Little Av

**Motion** by Chair Klingelhutz to approve three (3) permits for the three (3) township roads named by MetroNet in the ROW permit application. Further noting the ROW Permit numbers will be 2023-01R, 2023-02R, and 2023-03R and staff to invoice accordingly.

**Second** by Vice-chair Nielsen

**Motion carried** (none opposed)

- Considered Resolution 2023-08 Positive Pay Bank Security Participation

**Motion** by Supervisor Parris to approve Resolution 2023-08 to participate in the Positive Pay program offered by Security Bank, to include the monthly payment of \$25.00

**Second** by Chair Klingelhutz

*Discussion: This program is recommended by staff and provides additional security against fraud. The bank will only clear checks and ACH as provided by Clerk/Treasurer in an authorized upload. The cost is \$25/month and expected to be a requirement in the future in order for bank to deter fraud.*

**Motion carried** (none opposed)

- Considered reinvestment of CD #8005614 (6-month CD Met Sewer) upon maturity 04/23/2023

**Motion** by Supervisor Parris to renew CD 8005614 (6-month Met Sewer) upon maturity 04/23/2023 - valued at \$15,063.69 on 01-01-2023 - to be invested in a 15-month CD at 4.23% with auto-renewal for a period of 12 months at the rate in effect at the end of the 15-month period. Interest to be paid at maturity.

**Second** by Chair Klingelhutz

**Motion carried** (none opposed)

- Considered quotes from Public Works Work Session:

- Accept quote from Waconia Roll-off for composting dumpsters (\$390/dumpster)

**Motion** by Chair Klingelhutz

**Second** Vice-chair Nielsen

**Motion carried** (none opposed)



- Accept quote from Gopher State for crack filling (\$7,400.00)  
**Motion** by Chair Klingelhutz  
**Second** Vice-chair Nielsen  
**Motion carried** (none opposed)
- Accept quote from Quality Sweeping for asphalt street cleaning (\$140.00/hour)  
**Motion** by Supervisor Parris  
**Second** Vice-chair Nielsen  
**Motion carried** (none opposed)
- Accept quote from Schneider for shoulder discing (\$170.00/hour)  
**Motion** by Chair Klingelhutz  
**Second** by Supervisor Parris  
 Discussion: work is needed, unable to locate another entity providing this niche service so proceeding with only 1 quote.  
**Motion carried** (none opposed)
- Accept quote from Nelson Electric Motor Repair for replacing 4 air releases at remaining lift stations. (\$5,000.00)  
**Motion** by Vice-chair Nielsen  
**Second** Supervisor Parris  
**Motion carried** (none opposed)
- Accept quote from Nelson for placement of the Reitz Lake control panel. (\$5,000.00)  
**Motion** by Chair Klingelhutz  
**Second** by Supervisor Parris  
**Motion carried** (none opposed)
- Discussed – no motion needed for hydraulic cylinder as the cost to have staff order part (less than \$750.00) and replace it in-house is more cost-effective than the quoted repair estimate well over \$1,000.00).
- Reviewed 2023 list of CUPs in our township
- Discuss grant funds available:
  - Safe Roadways - SS4A
  - Wildlife Crossings Program - FHWA

### **Unfinished Business**

Follow-up on matters raised at March 27, 2023 meeting:

- Clerk/Treasurer Kunze sent the Augusta Road letter to residents/property owners on the Laketown Twp side of the road on 03/29/2023. There has been no response from residents. Staff will be doing the 2023 asphalt patching this week. Supervisor Parris informed Dahlgren so they would be aware in case residents from their side of the road were to call with any questions. Board discussed invoicing Dahlgren up to the amount noted during the Special Meeting with representatives from the township once the work is done.
- Clerk/Treasurer Kunze updated the Board on the matter raised during the public forum position of the previous meeting (raising hens in neighborhood). Information was received by Carver County and relayed back to the resident. Communication outlined current county zoning laws limiting property owners - with less than 1.5 acres - to pets such as cats and dogs. Since this resident is in a neighborhood bordering the City of Waconia and an area that would be annexed

into Waconia in the future, information relating to the City of Waconia's permit process and raising hen chickens in the city limits was also provided to assist with any steps they may consider moving forward. Board members discussed support for residents to be able to raise hens – no roosters in neighborhoods – similar to the City of Waconia, while also acknowledging the township has given zoning authority to Carver County. Board also raised concern that a variance could cost a significant amount of money and hopes Carver County will revisit this topic as it is a growing interest for residents to be able to grow food and raise hens on their property, and it goes along with Carver County's support for agriculture. All agree there is no further action until or unless residents were to apply for a variance and Carver County reaches out.

- Clerk/Treasurer Kunze reported Carver County does not have any record of a business running out of 8850 Island View Road. Board discussed and agreed there is no further action needed at this time.
- Clerk/Treasurer Kunze called 2 identified residents who were reported to be regularly walking their dogs off leash in the Hidden Bay neighborhood. No calls back yet. A copy of 2 letters sent in April 2022 were shared with the Board, outlining the township's pet ordinance.

#### **Board Member Reports**

Chair Klingelhutz reviewed the *Pending Business List* with Vice-chair Nielsen, Supervisor Parris, and Clerk/Treasurer Kunze:

- Update on Three Rivers Park District annexation to City of Victoria – next step is their P&Z Committee meeting on 4/18/23 with the result to be brought to a vote in May by the City Council. Recommendation is to create a new zoning definition for park use to make the annexation transition smooth for all involved. Confirmed it is only the Park, no other property owners.
- Keep monitoring Augusta Road in case residents come together and request asphalt vs. gravel
- Add the alleged tree service matter to the list
- Remove MnWARN from the list
- Add MPCA grant status to the list

Vice Chair Cathy Nielsen:

- spoke with Deputy Clerk/Treasurer Lano regarding training and happy with reports on the performance of new Clerk/Treasurer; also suggests we look into joining another unique group re: sewers
- provided an update from Carver County Township Assn – good group of people – elections held (Nielsen is Secretary)

Supervisor Pete Parris:

- shared notes from a video call Supervisor Parris and Clerk/Treasurer Kunze attended between City of Victoria staff, Fire Chief and Three Rivers Park District staff as discussed during the review of Pending Business List (attached).

No additional reports.

**Reviewed correspondence:**

Spring Flooding Forecast from National Weather Service  
PERA Employer Newsletter for Q1  
Water & Environment Newsletter – April 2023  
Correspondence from St. Boni re: Updated Wellhead Protection Plan Implementation Table  
Township Legal Seminar (Couri & Ruppe)

**Adjourned** at 4:38pm

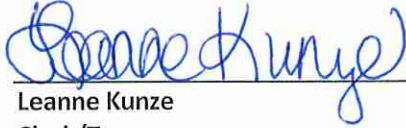
**Motion** by Supervisor Parris to adjourn the meeting.

**Second** by Chair Klingelhutz.

**Motion carried** (none opposed)

Respectfully submitted by:

Board approved:



Leanne Kunze  
Clerk/Treasurer



Mike Klingelhutz  
Board Chair

**UPCOMING SCHEDULE**

Monday, April 24, 2023	Regular Town Board Meeting	6:00 PM
Tuesday, April 25, 2023	Annual Road Tour w/Road Engineer	8:00 AM
Monday, May 08, 2023	Public Works Work Session Regular Town Board Meeting	1:00 PM 3:00 PM
Monday, May 22, 2023	Regular Town Board Meeting	6:00 PM
Monday, May 29, 2023	Closed - Memorial Day	
Monday, June 12, 2023	Public Works Work Session Regular Town Board Meeting	1:00 PM 3:00 PM
Monday, June 26, 2023	Regular Town Board Meeting	6:00 PM
Tuesday, July 4, 2023	Closed – Independence Day	
Monday, July 10, 2023	Public Works Work Session Regular Town Board Meeting	1:00 PM 3:00 PM
Monday, July 24, 2023	Regular Town Board Meeting	6:00 PM
Monday, August 14, 2023	Public Works Work Session Regular Town Board Meeting	1:00 PM 3:00 PM
Monday, August 28, 2023	Regular Town Board Meeting	6:00 PM
Monday, September 4, 2023	Closed – Labor Day	
Monday, September 11, 2023	Public Works Work Session Regular Town Board Meeting	1:00 PM 3:00 PM



## **Update re: Annexation of Three Rivers Park into City of Victoria**

### City of Victoria:

Jenn Brewington, Nathan Fuerst (B&M), Will Bucheger, Dana Hardie, Andrew Heger

### Three Rivers Park:

Bo Carlson, Joshua Foust

### Laketown Twp:

Pete Parris, Leanne Kunze

### **Summary:**

Under City of Victoria's zoning, this area would default to agricultural land use.

Options: (1) TRPD to apply to the City of Victoria for CUP for park use

(2) Amend city's zoning code

(a) to amend ag land use to allow for park

(b) to create a new district for park

TRPD is its own public entity, so it is not reasonable to have to apply for CUP.

City of Victoria has posted for public comment at their April 18<sup>th</sup> Planning Commission and then recommendation will proceed to City Council.

Nathan provided overview of City of Victoria's purpose for this meeting:

- 1) How does TRPD plan to use the land?
- 2) Does TRPD have any concerns to include in the City's consideration?
- 3) Are there any shortterm or longterm improvements planned for TRPD?f

Andrew provided background on impetus for TRPD requesting annexation, with support from Laketown Twp – more demand on park services, BMX bike trail injuries that require public response have direct impact on Laketown Twp fire contract rate and poses a cost burden to the Township.

All in agreement that this is a request by TRPD and supported by Laketown Twp.



Bo reported Kelly Grispen is the lead on this matter for TRPD (Director of Planning) and could not join this meeting. Will be important to loop Kelly in and for City to seek their input on the zoning matter.

Bo also shared they have a master plan and no planned improvements – only upgrades and efficiencies to current operations (roads, trails, etc).

Reiterated TRPD includes the Carver Park Reserve that is approximately 80% of the land and protected for nature purposes. The remaining 20% is developed for camping, trails, and an existing archery range.

TRPD does not want restrictions on use. Preference is for a change in zoning versus a CUP application process.

Joshua asked what impacts – if any – there would be to duck hunting on Lake Auburn once annexed to the City of Victoria. It was noted that DNR does not enforce city codes and Nathan suggested such language re: potential permit from clerk for duck hunting be included in the proposed ordinance language

Pete asked for confirmation that the proposed annexation is limited to TRPD and does not include the resident with home and business as they do not wish to be annexed at this time. Pete and Bo agreed that – per Orderly Annexation Agreement – it is based on the property owner's request and neither TRPD nor Laketown Twp has the authority to include the resident/homeowner in this situation and should remain in Laketown Twp.

Once draft ordinance language is crafted by City of Victoria, it will be shared with TRPD and Laketown Twp for review and input – Pete stated the Twp would want their attorney to review.