

## MINUTES

**Present:** Chair Mike Klingelhutz, Vice-chair Cathy Nielsen, Supervisor Pete Parris, Clerk/Treasurer Leanne Kunze, Public Works Technicians Brian Lawrence and James Schilling. **Also:** Property-owner Alex Young, Carver County Land Management representative Jason Mielke, Carver County Public Works representative Jack Johansen.

**Public Works Work Session** was called to order at **1:00pm** outside on Lakewood Circle, as posted.

### Roads

- On-site review status of Lakewood Circle Access Permit with Carver County & property owner
  - Carver County explained since the change in 2021 that placed precise number in the zoning code, a variance will be required for anything less than 660 feet from the intersection. Both Carver County Land Management and Carver County Public Works shared that discussions with superiors have been favorable for a variance based on the Road Authority (township) recommendation at 550 feet.
  - Young will apply for variance and copy township. Township waives his attendance at another town board meeting as the Access Permit remains supported at 550 feet and township will consider recommendation to provide to Carver County re: variance application.
  - Township officers and staff reiterated their gratitude in dealing with Young. His cooperation and adjustments on the field have improved existing erosion issues along and across Lakewood Circle adjacent to the sewer utility sand filters.
- Follow up discussion in response to continued drainage concern at 9530 Lakewood Circle
  - Reviewed previous visits to the site by township staff, officers, county, engineer, etc. and all point to the established drainage easement and changes swale on the property exacerbate/interrupt direct flow. All agree the property is already low elevation and the various modifications to grade within the drainage easement have contributed to sitting water follow heavy rain and winter thaw.
  - Staff to draft a letter for board review before sending to property owner.
- Staff recommendation to approve Access Application on Airport Road – modify from field approach to driveway – address would be 9055 Airport Rd
  - Carver County has confirmed set back requirements met. Staff recommends approval with notation to require culvert and fire sign.
- Quotes for culvert replacement project on Little Avenue
  - Quotes presented from Digrite and Wickenhauser, staff had requested one from Henning too.
- WSB asphalt roads project proposal dated May 19, 2023
  - Recommends core samples in July so decisions can be made in August
  - Recommends costing by project, (e.g., Bavaria area project would include Summit Place, Kingswood I, Kingswood II, Oakwoods, etc.)

### Equipment

- Unused equipment (harrow, drag, back blade)
  - Harrow – aging, rusted, not been in use or need for quite some time
  - Drag – hoses shot

- Back blade – tires shot
  - Staff recommends selling at FMV
  - Board directed PW staff to obtain estimates, take photos, and Clerk will post on Facebook Marketplace
- Mack truck – still not locking wheels properly when applying brakes, scheduled to go back in to Mid-County on June 22. Board directed not to use as it is not safe.

### Sewers

- Inspections
  - No response yet from home on Jan View to schedule access to camera lines.
- Chaska Sewer
  - Board noted increased meter reading/higher bill from Chaska
  - Discussed I&I issues and inspections would determine source – noting source is likely different for each property (old tanks, old pipes, etc) and not something a random sample could detect
  - Staff shared awareness of a nearby municipality that requires an inspection that includes camera and repairs required before property may close
- Manhole covers raised and inspected. Noted some down 18” and 3” is ideal so as not to hit/damage when grading

**Regular Meeting** was called to order at **3:11pm**

**Present:** Chair Klingelhutz, Vice-chair Nielsen, Supervisor Parris, Clerk/Treasurer Kunze

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

- Add: Consider quotes from Digrite and Wickenhauser for the work on culvert replacement on Little Ave
- Add: Consider WSB proposed contract for asphalt roads coring project dated May 19, 2023

Motion by Parris to adopt the agenda as amended.

Second by Klingelhutz

Motion carried (none opposed)

**Open Forum (left open until 3:20pm)** 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

- Regular Meeting Minutes – May 22, 2023

Motion by Nielsen to approve the Regular Meeting Minutes from May 22, 2023

Second by Parris

Motion carried (Klingelhutz abstained)

### Financials

- Payment of Claims: #13763-13797 totaling \$ 45,949.51

Motion by Klingelhutz to approve payment of Claims #13763-13797 totaling \$ 45,949.51

Second by Parris

Motion carried (none opposed)

- Schedule 1 Treasurer’s Report

Motion by Klingelhutz to accept the Schedule 1 Treasurer's Report dated June 7, 2023

Second by Parris

Motion carried (none opposed)

- Receipts Register: \$27,773.86

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

- May bank balancing

Chair Klingelhutz noted the May bank balancing was received, reviewed, and is balanced.

### Unfinished Business

- Consider next steps regarding County response to Access Application granted off of Lakewood Circle

Background: Access was approved by Board on May 8, 2023. Carver County requires variance.

Motion by Parris to provide Board recommendation of in support of variance to allow access centered at 550 feet to mitigate drainage issues and improved site lines. Township also waives property owner attendance at an additional Township meeting in conjunction with the application for variance with Carver County.

Second by Nielsen

Motion carried (none opposed)

- Consider next steps in response to drainage complaint at 9530 Lakewood Circle

Motion by Klingelhutz to have staff to draft and send a letter to the property owner, subject to review by Supervisors, to incorporate continued findings of property owner's responsibility to correct grading for proper drainage.

Second by Parris

Motion carried (none opposed)

- Status update on 201 Sewer Feasibility study from Bolton & Menk

- Bolton & Menk hoping to send draft report the week of June 19, 2023

- Staff to schedule Special Meeting with Bolton & Menk and Public Works staff

- Consider transfer of funds from 201 Fund to Long Range Fund (pumper truck)

Motion by Klingelhutz to transfer \$11,110.00 from the 201 Fund to the Long Range Fund, representing the 1<sup>st</sup> of 3 annual payments.

Second by Parris

*Discussion: Confirmed intent and application of criteria set in approved minutes from April 5, 2022, to apply 1% interest and then make 3 annual payments. This was calculated as \$33,000.00 plus \$330.00 reflecting the 1% interest. The resulting total of \$33,330.00 divided into 3 payments equals \$11,110.00 annually for 2023, 2024, and 2025. It was confirmed and reiterated by Parris that interest was not intended to compound annually.*

Motion carried (none opposed)

- Consider draft letters in response to on-going complaints on Hidden Bay regarding dogs off leash

Background: Board reviewed 3 draft letters: 2 direct letters to named individual dog-owners as discussed at a previous meeting, and 1 general letter addressed to the neighborhood including reference to the recent incident and Animal Ordinance.

Motion by Parris to only send the 1 general letter addressed to all residents of Hidden Bay

Second by Klingelhutz

*Discussion: After reviewing the Animal Ordinance and discussion about the incident involving Carver County dispatch, the Board does not support sending direct letters to named individuals as the complaints were not received in writing and no one from the township has witnessed the alleged activities. The information included in the general letter gets at the issue and will be received by all residents in Hidden Bay, along with a copy of the Animal Ordinance.*

Motion carried (none opposed)

- Status update on annexation of Three Rivers Park/Carver Park Reserve to the City of Victoria  
Noted for the record that the State of Minnesota Office of Administrative Hearings has provided confirmation of the annexation being complete.

#### New Business

- Considered participation in Carver County Health Survey

Motion by Nielsen to participate and have Clerk complete the survey

Second by Parris

Motion carried (none opposed)

- Reviewed Metropolitan Council's preliminary population and household estimates for Laketown Twp  
Reviewed; no action taken

- Considered modification to access on Airport Road – field approach to driveway – address will be 9055

Motion by Klingelhutz to approve with notations of culvert needed, fire sign needed, no construction materials in ROW, and all loading and unloading needs to be outside of the ROW.

Second by Nielsen

Motion carried (none opposed)

- Designated 2023 Township Legal Counsel & Township Engineer

Motion by Parris to designate **Couri & Ruppe** as Township Legal Counsel and **Ron Bray, WSB** as Township Engineer, noting they were inadvertently missed at the January reorganization meeting.

Second by Klingelhutz

Motion carried (none opposed)

- Discuss creation of a uniform employment application per the advice of Couri & Ruppe at Legal Seminar

Motion by Nielsen to direct staff to create a uniform employment application and template scoring tool

Second by Parris

*Discussion:* Veterans Preference requirement – adding 10 points to the final score when reviewing applicants to offer an interview. Each time a position is posted, the Board or interview panel would meet to determine weights for scoring tool per job requirements before posting.

Motion carried (none opposed)

- Discuss creation and ownership of Laketown Township emails per the advice of Couri & Ruppe at Legal Seminar

- Discussed best practice for accurate recordkeeping for both access and retention of emails, and also provides protection against any use personally “owned” emails becoming public.
- Board requested Clerk to bring options available for Township administered email system.

- Consider padlock for outdoor bulletin board per the advice of Couri & Ruppe at Legal Seminar

Support for Clerk to purchase a padlock under existing operational needs.

- Discuss properties required to carry additional liability insurance due to obstructions in ROW, and review process

Background: During the recent Couri & Ruppe Legal seminar, a presentation was made by a road engineer who explained road safety and considerations for the road authority. This triggered memory of Kunze - when serving on the Board in the past – there were at least 2 properties required to maintain additional liability coverage when choosing not to remove identified safety issue (e.g., brick mailbox stand, large boulder landscaping) in ROW. Parris asked to have this matter added to the agenda for discussion of any need for an annual review of such coverage requirements and how public works staff typically address identified safety concerns within the ROW.

Discussion expanded to other safety issues within the ROW versus road safety relating to collision. Consider annual newsletter in late Fall with generic reminders re: not pushing snow across roads, recommendation of breakaway mailbox stands, and those with road safety hazards in the ROW are responsible to maintain additional liability insurance coverage if not removed.

Motion by Parris to have PW staff continue to identify and investigate address road safety hazards in ROW; if not removed, staff authorized to send a letter outlining the property owner's liability coverage requirements if not abated. Additionally, those already identified (e.g., Findley and Holasek) will receive an annual letter requiring proof of adequate liability insurance coverage for continued safety hazard in ROW.

Second by Nielsen

Klingelhutz request to add utility companies to the motion was not supported.

Motion carried (Klingelhutz opposed)

- Discussed possible annexation of parcel for development and impacts on sewer study re: City of Chaska  
Discussed this matter is between the developer and the City of Chaska as this parcel would need to be annexed in order to be developed.

- Discussed request for maintenance assistance or take over private gravel road used to access landlocked property off of Knight Av

*Background:* A landlocked property owner - using established private road off of Knight Av - is requesting help with maintenance. Has attempted to maintain and getting worse. Hoping township can repair and willing to pay. Kunze reached out to Carver County Land Management questioning the GIS labeling of this private road as Knight Av. Carver County was also intrigued and said it will take little researching and will get back to us if they find information from survey/plats/etc.

*Discussion:* Board discussed no legal obligation to maintain this private road, and any work would create path to township taking on a road without the town electors voting to accept a new road. Reviewed the GIS map of this parcel and private roadway. Carver Co GIS shows the owner of the private road to be MN DOT and likely was established as an easement for farmer's field access just beyond this property owner. This farm access is also listed with a taxable property address of 7777 Herb Farm Court, not a road the township was previously aware of. There does not appear to be a maintenance agreement in place.

*Status:* Letter to be drafted to property owner once we learn more from Carver County Land Management.

- Considered quotes for the work on culvert replacement on Little Ave

Motion by Parris to select Wickenhauser quote for \$1475.00 for the culvert replacement project on Little Avenue, noting almost half the cost of the other quote and they do good work.

Second by Klingelhutz

Motion carried (none opposed)

- Consider WSB proposed contract for asphalt roads coring project dated May 19, 2023

Motion by Nielsen to approve items 1-3 as listed in WSB project proposal dated May 19, 2023, noting the coring project needs to get started and item #3 will determine – with Board input after reviewing WSB's analysis and recommendation based on coring samples – what the appendix referenced in #4 will look like, and therefore Board would consider the next phase of the project at that time.

Second by Parris

Motion carried (none opposed)

### **Board Member Reports**

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

- Encroachment of easement – Rosin retaining wall
- Three Rivers Park can be removed now that annexation is complete
- Augusta Road – Dahlgren payment will be considered at their meeting this evening
- Corner of Little at Co Rd 140 – Dahlgren supervisor connecting with Benton Co Twp
- Sewer Ordinance proposed amendment – proceed – no public hearing required, just publication requirements following adoption by board. Will be on next meeting agenda.
  - Clerk will check to see if there is also a way to add a brief note on the next sewer billing
- Add Ordinance clean-up to this pending list - review and clean-up of ordinances for website (sewers, roads, animal control, etc)
- Sewer line camera access – no response

- o Grant status - Clerk to reach out to Bolton & Menk to facilitate billing for use of Chaska's 2022 CDA grant funds totaling \$7500, and Abbywood Mounds portion to be covered by MPCA grant funds of \$33,000 (see page 2 of Bolton & Menk quote for the Feasibility Study). We are still waiting for notification regarding 2023 application for CDA grant funds.

Chair Klingelhutz:

- o pulled approximately 4 tons of carp over 2 days; carp discovered in the creek out of Pierson Lake near Co Rd 43; MCWD stuns them with a backpack shocker so they can be removed; photos included in a recent newspaper article

Vice Chair Nielsen:

- o Wants to research alternative sewer systems. Discussed Met Council would be the place to call for alternatives if the recommendation coming out of the Feasibility Study are somehow blocked. All of our sewer system falls under their jurisdiction.
- o What is the status of gravel on alley near Marcus – hauling and grating in progress with dust control locations being priority
- o Asked about solar farms. Discussed electric companies and co-ops, as Xcel and MVEC both provide service in our township. County zoning and land use would be the authority, not us.

Supervisor Parris:

- o Attended Couri & Ruppe Legal Seminar June 1, as did Kunze. Very informational and one of the best seminars. Recommends other board members attend.

Clerk/Treasurer Kunze:

- o Nothing further to add.

**Reviewed FYI/Correspondence:**

- o Updated Metropolitan Council map
- o Carver County Permits Issued – May 2023

**Adjourned at 5:23pm**

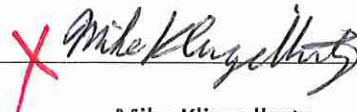
Motion by Klingelhutz to adjourn the meeting.

Second by Parris

Motion carried (none opposed)

Respectfully submitted by:  
Leanne Kunze, Clerk/Treasurer

Board approved: 06.26.2023  
Date



ATTEST: Leanne Kunze  
Clerk/Treasurer

Mike Klingelhutz  
Board Chair

