

MINUTES

[Approved 12.27.2023]

Present: Chair Mike Klingelhutz, Vice-chair Cathy Nielsen, Supervisor Pete Parris, Clerk/Treasurer Leanne Kunze, Public Works Technicians Brian Lawrence and James Schilling, WSB representatives Ron Bray, Steve Nelson, John Lapointe.

12:00n 1. Special Meeting called to Order at 12:01p

2. Discussion of pending projects with Ron Bray, WSB

- LRIP application submitted o/b/o Dahlgren & Laketown Twps for Augusta Road
- Asphalt roads core samples to be reviewed early 2024
- Pavement management plan on track for 429 process to begin in 2024
- Reviewed 201 Community Sewer System status; feasibility study completed by Bolton & Menk
 - Discussed the dilemma of having a 40+ year old 201 sewer system outliving its 20-25 yr life expectancy, the need to improve the system and plan for connection to sanitary sewer in order to avoid system failure and potential catastrophic impacts on the 3 lakes and watersheds where the system is located, the fact that improvements were not planned by past boards based on area comp plans that had anticipated the dissolution of the township based on the established Orderly Annexation Agreement with the cities of Chaska, Victoria and Waconia.
 - Bonding request in place for 2024 Legislative Session with Senator Coleman and Representative Nash carrying the bill. Request is for \$11m at the State level. Requests for investment have also been made at the Federal and County level, with the remaining costs to be assessed to the 2019 properties connected to the 201 system.
 - Support for bonding request includes Carver County, City of Victoria, City of Chaska

3. Adjourned Special Meeting at 1:35p

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

1:00p 1. Public Works Work Session called to Order at 1:45p

2. Roads

- Reviewed 2023 Road Tour Task Status
 - Will review core samples with WSB/Pete/PW staff early January
 - Discuss/plan/update when bidding and 429 process would commence for paving projects
 - Catch basin issue to be reviewed during 2024 Road Tour
 - Tree on western personal property of Smothers – property owner still needs to call MVEC
 - Intersection at Little Av – still on track for repair and cost share with Dahlgren in 2024
- LRIP Application – Laketown Twp/Dahlgren Twp joint request for funding for Augusta Road
 - Submitted by WSB to State of MN on time
- Parley Lake ditch clean-will be held over to 2024

- Intersections were salted over the weekend due to weather conditions

3. Equipment

- Septic Truck Repair Update
 - Truck still at International; they fixed chatter, working on a couple other things
 - Antifreeze – waiting on a pressure valve
 - Leak in rearend getting repaired
- F550/Mack Truck Tires
 - All tires have been mounted/aligned where needed; paid upon completion

4. Sewer

- 9385 Janview manhole
 - Clarification from last meeting – 3 pipes coming into one side and camera showed sags but no roots; there is sludge in the pipes
- 62D Outfall Cleanout Request
 - Lakewood Circle; Tony Hesse wants to tile & wants to take berm out; working with MCWD to get the berm out
 - Klingelhutzwondered whether this is actually a part of MCWD
 - Hesse thinks berm was installed around 2008 and was required to be in place of min of 10 yrs
 - Seeking our assistance as it may impact our outfall (we've never had an issue)
 - Removal of berm would reduce the water level and risk freezing issue
 - Farming over the top of the sewer line
 - Board is not in favor of changing waterflow – staff to reach out to MCWD & CCWMO
 - Property owner needs to be the one to make a request in writing to the Township
- Reitz Lake Lift Station Panel Repair Update
 - Nelson rebuilt panel and installed last week - repair completed
 - Seems our flow is improving
 - May want to consider bigger pump in Schmittville (only pumping 10 gallons/minute)
- 201 Infrastructure Project
 - Wait to see what happens with work session with Waconia, Bolton & Menk, and Met Council
- Sewer Ordinance Language relating to additional capacity due to rebuild/remodel on existing sewer
 - Klingelhutzwondered what a legitimate number of years (for a mound) to determine addition of a bedroom? (in regard to what reports staff would need to share with engineer in order to consider additional capacity/additional bedrooms).
 - Nielsen points to existing language in Ordinance
 - Board recommendation is to share 5-7 years of history since weather patterns change.
 - This would be a policy to determine what timeframe would be reviewed by an engineer when/if considering adding capacity to existing connections (e.g., adding a bedroom).
 - Nielsen points to the reality of pumping data being one point of consideration for an engineer and need to take into account the location and system under review
 - Policy will be to use the most recent 5 years of data in addition to other criteria

5. Miscellaneous

- Discussed the status of unauthorized berm on township property near sand filter system and Kalkes parcel
 - Still not removed per attorney letter sent
 - Kunze to reach out to Kalkes to inquire about plan to remove
- Klingelhutzwondered what feedback the Board needs to consider during upcoming closed session.

- Considered rate increase to Met Sewer properties in 2024; with Met Council rate increase and repair needs (e.g., repair manhole covers, etc) there has not been a rate increase passed on to residents connected to Met Sewer for several years.
- Discussed whether we need backup for excessive snow removal this season. We had our snowiest season last year and made it. Concerned with anyone else plowing our routes as we know where things are, and may also be a concern about liability.

6. Adjourn Work Session at 3:04pm

Present: Chair Mike Klingelhutz, Vice-chair Cathy Nielsen, Supervisor Pete Parris, Clerk/Treasurer Leanne Kunze

3:00p 1. Regular Meeting called to Order at 3:07pm

2. Adopted Meeting Agenda

Motion by Klingelhutz/Second by Parris to approve agenda as amended to include acceptance of a check from the Carver County Township Association.

Motion carried (3-0)

3. Open Forum (held open until 3:20p – no one spoke) 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.

4. Minutes

Approved Minutes from Regular Meeting 11.27.23

Motion by Klingelhutz/Second by Parris to approve Minutes from Regular Meeting 11.27.2023

Motion carried (3-0)

5. Financials

a. Approved Payment of Claims #14097-14124 totaling \$47,272.71

Motion by **Klingelhutz/Nielsen** to approve claims #14097-14124 totaling \$47,272.71

Motion carried (3-0)

Motion by Klingelhutz/Second by Parris to void check #27659 made out to PERA (it is paid to PERA via EFT)
NOTE: voiding the check only; funds are still approved in the claims list approved.

Motion carried (3-0)

b. Reviewed Receipts Register = \$252,808.27

Klingelhutz noted receipt and review of Receipts Register

c. Reviewed Schedule 1 Treasurer's Report

Motion by **Klingelhutz/Second by Parris** to approve the Schedule 1 Treasurer's Report

Motion carried (3-0)

d. Review Bank-to-CTAS balancing for month ending November 30, 2023

Klingelhutz noted board receipt and review of November balancing with the \$190.91 difference continuing as a result of investment corrections made in previous CTAS years (with OSA assistance) that carried over an assigned balance of \$190.91 into CTAS 2023.

e. Considered check received from Carver County Association of Townships

We received a check for \$1,000 from CCAT explained as our portion of \$10,000 from Jaguar Communications to mitigate impacts when initial fiber ring was installed around Carver County; determined by CCAT the funds were to be split evenly between the 10 townships.

Motion by Nielsen/Second by Klingelhutz to accept the funds and direct Clerk/Treasurer Kunze to assign the deposit to the General Fund.

Motion carried (3-0)

6. Unfinished Business

a. Status update on unauthorized berm built on township property within easements involving Kalkes' parcel.

- Board referred to the discussion and direction during the Public Works Work Session on this topic

b. Status update on bonding legislation for investment in overdue 201 sewer infrastructure improvements.

- Bill language received, reviewed, and no changes suggested

7. New Business

a. Considered Resolution 23-19 Township Calendar for 2024

Motion by Parris/Second by Klingelhutz to adopt Resolution 23-19 Township Calendar for 2024

Motion carried (3-0)

b. Considered 2024 Sewer rates for 201 & Metro (Crown College already notified of their Met Council increase)

Motion by Nielsen/Second by Parris: Maintain current rate for 201 sewer utility billing in 2024, and increase current rate by 10% for 2024 Metro Sewer utility services.

Motion carried (3-0)

c. Considered requesting financial support from Carver County towards 201 Sewer Improvement

Klingelhutz requested clarification of our asks to date.

Requesting: \$11m State; \$6.25 residents; \$2m Federal; leaves \$2m

A 10% ask from the County would equal \$2.1m

Carver County CDA grants are currently capped at \$100,000 and require a 2 to 1 match.

Assessments of those getting new asphalt road in addition to the 201 improvements should be assessed at a greater rate than those living on gravel roads and remaining gravel.

Motion by Parris/Second by Nielsen to make a formal request for \$1.1m investment from Carver County, committing to be paid by 12/31/2025.

Discussion to confirm the Motion's intent seeks County's investment commitment based on the ability to proceed with the project in 2025.

Motion carried (3-0)

d. Discussed future work session with City of Waconia re: Facility Plan Recommendations

Invitations sent to Waconia, Bolton & Menk, and Met Council; all but Waconia has confirmed attendance.

Kunze to reach out to Met Council to request assistance if Waconia does not respond.

e. Discussed potential time change for Wednesday, December 27, 2023 meeting to approve claims/sign checks

Motion by Parris/Second by Klingelhutz to start the 12/27/2023 meeting at 2:00p

Motion carried (3-0)

f. Considered 2023 employee performance evaluations and 2024 compensation (required a motion to go into Closed Session for discussion, and then back to Open Meeting for any motions resulting from discussion).

Motion by Nielsen/Second by Klingelhutz to go into closed session to discuss employee performance evaluations and 2024 compensation.

Motion carried (3-0)

-CLOSED SESSION-

REOPENED SESSION at 5:27p

Motion by Parris/Second by Nielsen to approve the following 2024 compensation adjustments:

Public Works & Clerk/Treasurer
3.75% general wage increase
Health Care stipend of \$330.00 per payperiod
Phone stipend of \$25.00 per payperiod for Public Works
Phone stipend of \$20.00 per payperiod for Clerk/Treasurer
50% cell phone reimbursement every 2 years changed to cover up to \$500.00 every 3 years
Addition of Juneteenth as a paid holiday (8 hour day for Public Works; 7 hour day for Clerk/Treasurer)
Limit of \$250.00 each for annual work boots (Public Works employees)
Clerk/Treasurer to accrue sick leave at the rate of 2 hours per payperiod
Maximum of 240 hours of accrued sick leave may carry over each year
Reimbursement of 50% of accrued sick leave balance upon retirement for employees with 20+ years of service
Continue remaining existing policies without further adjustment

Motion carried (3-0)

8. Reports

a. Reviewed Pending Business List

Remove: Reitz Lake Lift Station Panel can be removed from the list

Add: Status of unauthorized berm on township property

Add: LRIP grant status

b. Chair Klingelhutz had nothing further to report

c. Vice-chair Nielsen referenced the topic of the CCTA check already discussed, and shared her understanding why we would not be eligible for the Met Council grant re: I & I

d. Supervisor Parris had nothing further to report

e. Clerk/Treasurer Kunze provided a recap of training and events from the 2023 MAT Annual Conference and Meeting, noting concern regarding new interpretation of MN statute regarding a 10% quorum of the membership (versus 2/3 of membership present at the annual meeting as has been the practice for approximately 40 years) that prevented members in attendance from voting on proposed amendments to the bylaws that included elimination of proxy votes and the ability of the board to remove board members and association members without due process. The proposed bylaws will now go back to the board, and if approved, will still require 2/3 approval from the membership. If proxy votes are eliminated and 10% of the membership is required for a quorum at the Annual meeting, there is significant concern it would further diminish the voice of the membership and likely result in an imbalance of power and a lack of checks and balances that goes against the mission and purpose that caused the creation of MAT by the founding members. Kunze also shared the unfortunate tension this caused on top of existing tensions related to the MAT Executive Director and MAT President filing a lawsuit against a former MAT employee, and then requesting the suit be funded and defended using MAT resources – to which the MAT Board agreed. A lot of concerns were raised suggesting the lawsuit was filed as individuals, and therefore MAT funds and legal counsel should not be used. Rather, there was a sense that if the MAT board felt the lawsuit was necessary, that MAT would be the appropriate petitioner, not individuals affiliated with MAT.

Kunze reported 3 claims received 12.11.2023 with due dates prior to the next board meeting after the Christmas holiday, requesting Board consideration to approve for processing and have 2 supervisors come in to sign checks to get them in the mail timely.

Motion by Parris/Second by Nielsen to approve the following 3 claims for processing and signatures by Thursday of this week:

Republic Services \$100.70 for December trash/recycling

USA Blue Book \$292.60 for 201 Supplies

USA Blue Book \$1,224.11 for 201 Supplies

Motion carried (3-0)

9. FYI / Correspondence

- a. Metropolitan Council Daily Digest Bulletin
- b. Notice of double split and combination of parcels (Deardorff)
- c. Notice of Public Hearing for Schram Vineyards Application for CUP amendment (12.19.23 at 7:00p) Supervisor Parris will attend.

10. Adjourned at 5:54pm

Motion by Klingelhutz/Second by Parris to adjourn the meeting

Motion carried (3-0)

Respectfully submitted by Leanne Kunze, Clerk/Treasurer

Board approved on 12.27.2023
Date

By *Mike Klingelhutz*
Its Chair

ATTEST *Leanne Kunze*

