

## Helena Township Board of Supervisors Regular Monthly Meeting Minutes

Minutes of August 4, 2022 | New Prague Fire Hall

- Call to Order Regular Monthly Meeting was called to order by Chairman Nytes at 6:00 p.m. The Pledge of Allegiance was recited.
- Present Chairman Edward Nytes, Supervisor Duane Deutsch, Supervisor John Wermerskirchen, Deputy Clerk Heather Taylor DuCharme, Road Overseer Jeff Haag, and Clerk DeAnn Croatt. Treasurer Nathan Hutton was present by telephone to give the Treasurer's Report. Also present were Wendy Klehr and Jeremy Dorick.
- Minutes On motion by Wermerskirchen/Deutsch, the July Regular Monthly Meeting Minutes and July Workshop Minutes were approved as presented; carried unanimously.
- Roll Call Discussion regarding requirement for roll call vote for money items where payment is being approved.
- Bills Paid After review of invoices and on motion by Wermerskirchen/Deutsch claims were approved for payment; unanimously by motion and roll call vote (Wermerskirchen – yes; Deutsch – yes; Nytes – yes).

Ck#	Amount	Payee	Purpose/Reason
6519	\$172.50	Couri & Ruppe	Legal
6520	\$606.31	DeAnn Croat	Election Expenses
6521	\$37.50	Donald Rowe	Website Maintenance
6522	\$59.10	Earl F. Anderson	Signs
6523	\$14,330.35	Envirotech Services	Dust Coating
6524	\$1,512.20	Hakanson Anderson	MarDen, WCLD, and General
6525	\$7,741.40	Klehr Grading & Excavating	Grading
6526	\$400.00	Steve Rynda Const. & Landsc.	Mowing and Trimming Ditches
6527	\$92.00	Suel Printing Co.	Election Publication
ACH	\$3,965.00	First Bank & Trust	Interest/WCLD road loan

- Road Overseer Report
1. WCLD ditch and drain tile issue discussed. Haag advised Supervisors of contractor's options to address standing water in ditch, which are either (a) digging into ditches to either investigate drain tile and other issues or (b) digging into ditches with plan to place new drain tile and replace any damaged drain tile. Resident/homeowner Jeremy Dorick present. Resident/homeowner Tim Baker not present. Determined that Township still needs written consent of Dorick and Baker in case ditch and tile work requires access out of the Township ROW. Taylor DuCharme to draft and send letter to Dorick and Baker for signature to acknowledge and agree to access to their properties outside of Township ROW. Discussion regarding location and width of ROW. Dorick advised Supervisors and Haag that there were no problems after asphalt put in but only after landscaping/hydroseeding was completed. Supervisors advised Dorick that two evergreen trees on Baker property need to come out. Dorick advised Supervisors and Haag that Baker has an underground dog fence.
  2. Reviewed dust coating map from Haag.
  3. Northwest Asphalt installed 2 culvert markers but not in the correct locations. They

will come out and reinstall in the correct locations.

4. 270<sup>th</sup>/Masberg turnaround. Haag and Supervisors advised Wendy Klehr that grading should continue to be done past the new turnaround and up to where the driveway hooks left.
5. 250<sup>th</sup> Street work scheduled for week of 8/15/2022 and should take one day.
6. MarDen Court work scheduled for week of 8/8/2022.
7. Alton Avenue stop sign is still up.
8. Homeowner contacted Haag re: grass cutting in ditches near 270<sup>th</sup> and Redwing. Supervisors agreed that Haag should contact TJ to cut down the grass in the ditches.

- Old Business
1. Snowplowing. Additional sealed quote received from Dakota Robinson Trucking. Croatt to file with other unopened quotes to be opened together by Supervisors at the September meeting.
  2. Dust coating. 270<sup>th</sup>. Croatt will email resident/homeowner Niedermayer re: continued annual Township dust coating of 270<sup>th</sup>.
  3. MAT District 4 Meeting. Haag advised he will not attend MAT District 4 meeting in St. Peter on 8/10/2022 at 6:00 p.m. Deutsch, Croatt, and Taylor DuCharme plan to attend. Wermerskirchen will try to attend but may have a conflict.
  4. MAT Annual Meeting in St. Cloud. Croatt advised that attendees need to register themselves in advance of the meeting scheduled for 10/14/2022 and 10/15/2022 but that she had already reserved six rooms. Croatt said that if anyone needed to cancel a room that should be done by early September. Scheduled attendees reviewed online agenda for meeting. Supervisors agreed that Haag should attend annual meeting.
  5. Croatt received bills for residents who requested additional dust coating and will send those bills to the residents for payment/reimbursement to Township.

- New Business
1. Croatt received Filing Affidavits from Wermerskirchen, Nytes, and Hutton with \$2 payment.
  2. Supervisors advised the Board of Equalization/Appeals recertification can now be done fully online.
  3. Discussed levy reminder for September meeting.

- Other Business
1. Township attorney Ruppe fees increasing as of 1/1/2023 to \$250 for general work and \$275 for legal representation.
  2. Kraemer fees increasing immediately.
  3. Reviewed permit report.
  4. Reviewed Township overall market value report.

- Treasurer's Report
1. On motion by Wermerskirchen/Deutsch, checks 6519 through 6527 and one ACH (interest on WCLD road loan) totaling \$28,916.36 were approved for payment; carried unanimously by motion and roll call vote (Wermerskirchen – yes; Deutsch – yes; Nytes – yes).
  2. Approximately \$94,000 in checking; no savings account transfers are necessary.
  3. Xcel still hasn't cashed check for refund of escrow (Croatt to follow up with Xcel).
  4. Balance in checking due in part to ARPA money received last month and should remain in checking account to cover road work anticipated road work expenses.
  5. Discussed balances of funds; all are in good shape.



6. Discussed tally of funds and ARPA funds received.
7. Discussed funds available for projects, funds in escrow for projects, current MarDen expenses, and ARPA funds for 250<sup>th</sup> Street project.
8. Requested information for planned Lucy, Mark, and Koepper projects so cash flow and other reports can be prepared. Croatt advised engineer is working on that information.
9. On motion by Wermerskirchen/Deutsch Treasurer's Report was accepted as read; unanimously carried.

## Receipts

### New Receipts

Date	Amount	Payor	Purpose/Reason
7/1/2022	\$98,135.45	State of MN	ARPA
7/12/2022	\$26.65	State of MN	ORI
7/18/2022	\$5,400.00	Anderson	WCLD Special Assessment
7/20/2022	\$1,119.00	State of MN	Township Aid
7/31/22	\$185.30	First Bank/TrustOptima	Interest
7/31/22	\$199.70	Riverland	Interest

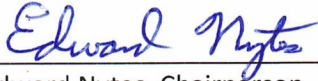
- Other Business
1. Checks received for WCLD and Silver Maple Drive. Cash received for Filing Affidavits. Croatt to deposit for Hutton.
  2. Reviewed Code Enforcement Report from Scott County.
  3. Reviewed Sheriff's Incident Report.
  4. Croatt reviewed Township Tuesday call information BCC emailed to Supervisors.
  5. Delivered Township credit card to Haag. Croatt advised Hutton wanted Haag and Taylor DuCharme to verify the cards work properly for Township expenses.
  6. Reviewed DNR Payment In Lieu of Taxes Report and discussed revenue received.
  7. Taylor DuCharme updated Supervisors on status of IRS notice. Hutton is working with IRS to resolve IRS misapplying quarterly payment from 2020.
  8. Croatt and Taylor DuCharme advised Supervisors and Haag that all emails should be sent BCC (blind carbon copy) so that open meeting laws aren't violated by accidental or inadvertent email replies.
  9. Croatt asked Haag to see if engineer would set up a pre-construction gathering before the construction on MarDen begins.
  10. Supervisors requested Haag follow up with engineer to verify if plan for MarDen included cleaning the ditch from the farm approach to Redwing. If not, Supervisors will discuss which contractor (Klehr or Johnson) to have complete that work separately. Supervisors discussed MarDen special assessment and letters to residents. Croatt advised Supervisors that engineer is handling resident contact to advise of road work schedule.
  11. Wermerskirchen requested Taylor DuCharme add fall road review scheduling to the next agenda.
  12. Taylor DuCharme and Croatt discussed adding September levy discussion to next agenda.

## Clerk Resignation

Croatt provided her letter of resignation as Clerk effective as of 9/8/2022 to the Supervisors for review and acceptance. Nytes stated Croatt will be greatly missed and her years of service and dedication are appreciated. Wermerskirchen concurred with

Nytes and asked Croatt if she would be available for special projects. Croatt and Taylor DuCharme advised the plan for Croatt accept appointment as Deputy Clerk after Taylor DuCharme's appointment as Clerk. On motion by Wermerskirchen/Deutsch, Croatt's resignation letter approved; carried unanimously.

Continuation At 7:55 PM on motion by Wermerskirchen/Deutsch, the meeting was continued to Wednesday 8/10/2022 at 5:15 p.m. to carpool and attend MAT District 4 meeting in St. Peter and then to Wednesday 8/17/2022 at 5:00 p.m. for a Workshop; unanimously carried.



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Edward Nytes, Chairperson

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Heather Taylor DuCharme, Deputy Clerk

# Helena Township Board of Supervisors Workshop Meeting Minutes

Minutes of August 17, 2022 | New Prague Fire Hall

Call to Order Regular Monthly Meeting was called to order by Chairman Nytes at 5 p.m. The Pledge of Allegiance was recited.

Present Chairman Edward Nytes, Supervisor John Wermerskirchen, Deputy Clerk Heather Taylor DuCharme, Road Overseer Jeff Haag, Clerk DeAnn Croatt, and Treasurer Nathan Hutton. Not present was Supervisor Duane Deutsch.

## 1. Road Overseer Report.

- a. Marden. Haag and Nytes met Sam at MarDen to review the ditch on August 5, 2022. Discussed ditch and that it looks good at this time. Determined no other preconstruction review is needed. Haag checked the ditch shortly after a rain and it looked good.
- b. Crack filling. Haag emailed Joe Wiita at Scott County regarding schedule for crack filling but has received no response yet. Haag will attempt additional contact. Croatt advised that the Township engineer Vistad advised her crack filling does not usually occur until late fall.
- c. 250<sup>th</sup>. Croatt discussed the reclaiming work with Vistad. Vistad advised Croatt that it's a good plan. The reclaiming work is planned for Friday, August 19, 2022. The contractors asked Haag about access to water. Haag is reviewing options/charges for water from city or metered hydrant.
- d. Alton Avenue. Haag removed a box spring from the ditch after being advised it was there by TJ after TJ mowed. TJ damaged a cutting blade by hitting the box spring while mowing. Some board members were contacted by Scott County dispatch regarding the same box spring.
- e. WCLD. The Township received signed consents/letters from property owners Baker and Dorick for the drain tile work on WCLD. Haag will contact contractor to proceed with planned work.
- f. Cedar Lake Township. Haag talked to the treasurer and two supervisors for Cedar Lake Township while at a social event. They advised Haag that Cedar Lake Township will no longer pay for dust coating. It is instead going to provide property owners who want dust coating with a list of approved vendors and the property owners will have to contract and pay for it themselves. Croatt advised that Helena Township Supervisors had previously agreed to continue dust coating but that the issue might be revisited if the cost of dust coating went above \$20,000. Haag advised he was told Cedar Lake Township paid approximately \$9,000 to \$10,000 for its last dust coating. Croatt stated Helena Township's most recent dust coating cost was approximately \$14,000. Spring Lake Township does something similar to Cedar Lake Township but also requires property owners to obtain permits from Spring Lake Township at a cost and mark the dust coating area with flags.
- g. 270<sup>th</sup> Stop Sign. Wermerskirchen asked Haag to verify that the stop sign on 270<sup>th</sup> is installed at the proper height, and if it is too low, to raise it to the correct height.
- h. Sign Book. Croatt advised Haag that there should be a book or binder where he can keep track of all of the road signs in the Township and record details for repairs, replacements, and other work related to the signs.
- i. Fall Road Review. Wermerskirchen advised that the fall road review is meant to do safety checks of the roads and signage.

2. 5 Year Improvement Plan. Croatt advised that when she talked to Vistad he again advised that an updated/new 5 Year Improvement Plan would be a good idea to plan and budget for future road



maintenance. The Board present at the workshop discussed the advantages, disadvantages, costs, and potential savings of obtaining an updated /new 5 Year Improvement Plan. Croatt advised that two residents approached her during the primary election to discuss costs already paid to repair and maintain their roads and wanting to keep them in good repair. On motion by Wermerskirchen/Nytes, obtaining new/updated 5 Year Improvement Plan from Vistad approved. The motion was carried by motion vote and roll call vote (Wermerskirchen – yes; Nytes – yes; Deutsch – absent). Taylor DuCharme will email Vistad for updated/new 5 Year Improvement Plan, to ask Vistad if Haag can go with Vistad for any road review to prepare the 5 Year Improvement Plan, and to have Vistad call in during a meeting to review the 5 Year Improvement Plan after it is prepared.

3. Old Business. Nytes, Wermerskirchen, and Haag determined no additional preconstruction review of MarDen needed.
4. New Business.
  - a. Klem/Kohlbeck Revised Variance. Nytes and Wermerskirchen advised of Klem/County emails regarding revised variance needed due to architect error on Kohlbeck original variance request. On motion by Wermerskirchen/Nytes the revised variance pursuant to Croatt recommendation was approved, carried by 2/0 vote with Deutsch not present. Nytes, Wermerskirchen, and Taylor DuCharme completed and signed Township Recommendation Form. Taylor DuCharme will transmit to Scott County and Klem.
  - b. 250<sup>th</sup>. Discussed to wait and see what is needed for gravel/dust coating until after reclaiming work is complete.
  - c. MarDen. Croatt advised that the work needs to be complete so the Township can get the bills so assessments can be done and sent to property owners as soon as possible to give property owners time to pay assessments before assessments need to be certified to Scott County, which needs to be done by November 1, 2022.
  - d. Mark, Lucy, Koepper. Nytes advised the feasibility study looked good. Hutton questioned whether the commercial/industrial property owners could appeal and/or stop the proposed work. Croatt advised the property owners have right to appeal to the Township Board but that whether to move forward or not on the work and/or assessments was up to the Township Board. Croatt had questions about the number of commercial/industrial properties identified in the feasibility study (6-8) and thought there should be more (10). Taylor DuCharme will email Vistad to re-verify number of commercial/industrial properties to be assessed prior to the next meeting. Board discussed the cul de sac property owners not being assessed because the cul de sac is not being reconstructed or paved.
5. Utility Permit. Board advised of utility permit for St. Benedict Road (Frontier/Intech).
6. September Levy. Board discussed dates for notices for levy and hearing dates (see feasibility study). Board requested Clerk and Deputy Clerk work together to review important dates and steps for levy.
7. Scott County Townships Association Meeting
  - a. Meeting is scheduled for September 21, 2022 at 7 p.m., after the Helena Township Workshop.
  - b. Haag not attending.
  - c. Pursuant to Scott County Hazardous Waste request, Wermerskirchen will contact Myron Bratsch

to add item to agenda to discuss what to do with hazardous waste found in ditches and roads.

8. Minnesota Association of Townships. Taylor DuCharme to confirm reservations for board members attending (Taylor DuCharme, Deutsch, Haag) and cancel reservations for Croatt, Nytes, Wermerskirchen, and Hutton. Taylor DuCharme to change credit card payment information for reservations to Township credit card and remove Croatt personal credit card from reservations.

9. Primary Recap.

- a. No new candidate filings. Wermerskirchen, Nytes, and Hutton only people running for their own current positions.
- b. There were 179 voters at the Helena Township primary election.
- c. Review of vote totals for state offices:

Governor/Lt. Governor

Grassroots-Legalize Cannabis

Steve Patterson and Matt Huff	0
Darrell Paulsen and Ed Engelmann	0
Total Votes	0
Overvotes	0
Undervotes	0

Governor/Lt. Governor

Legal Marijuana Now

James McCaskel and David Sandbeck	1
Christ Wright and L.C. Lawrence Converse	0
Total Votes	1
Overvotes	0
Undervotes	0

State Senator District 58

Republican

Bill Lieske	108
Jake Cordes	30
Total Votes	138
Overvotes	0
Undervotes	4

Governor/Lt. Governor

Republican

Bob "Again" Carney, Jr. and Captain Jack Sparrow	2
Scott Jensen and Matt Birk	134
Joyce Lynn Lacey and Kent Edwards	3
Total Votes	139
Overvotes	0
Undervotes	3

Secretary of State

Republican

Kim Crockett	93
Erik van Mechelen	39
Total Votes	132
Overvotes	0
Undervotes	10

Attorney General

Republican

Jim Schultz	74
Sharon Anderson	13
Doug Wardlow	48
Total Votes	135
Overvotes	0
Undervotes	7

State Senator District 58

Democratic-Farmer-Labor

Clarice Grabau	33
Total Votes	33
Overvotes	0
Undervotes	3

Governor/Lt. Governor

Democratic-Farmer-Labor

Ole Savior and Julia M. Parker	1
Tim Walz and Peggy Flanagan	35
Total Votes	36
Overvotes	0
Undervotes	0

Secretary of State

Democratic-Farmer-Labor

Steve Simon	27
Steve Carlson	7
Total Votes	34
Overvotes	0
Undervotes	2

Attorney General

Democratic-Farmer-Labor

Keith Ellison	34
Bill Dahn	2
Total Votes	36
Overvotes	0
Undervotes	0



- d. Croatt requested Board consider wage adjustment for election judges (from \$15/hour to \$20/hour) and head election judges (from \$20/hour to \$25/hour). Croatt advised a couple of election judges commented that the wages have not been adjusted in a long time and while no one election judges for the money it is way to show appreciation for those doing the work. Hutton advised that the general election was likely to go over budget already and that if the wages are adjusted that the Board will need to transfer funds to cover the additional costs. Wermerskirchen asked whether ARPA funds can be used to pay not only the wage adjustment but all wages and costs for the general election. Hutton advised ARPA funds can be used for general election wages and costs. On motion by Wermerskirchen/Nytes, (a) wage adjustment for election judges (from \$15/hour to \$20/hour) and head election judges (from \$20/hour to \$25/hour) and (b) use of APRA money to pay general election wages and costs approved by roll call vote (Wermerskirchen – yes; Nytes – yes; Deutsch – absent).

10. General Election Updates. No new filings received.

11. Fall Road Review. Tentatively scheduled for 9/14/2022 at 3 p.m. with those reviewing meeting at New Prague Fire Hall. Verify Deutsch availability at next meeting.

12. Rural Fire Association Meeting. Nytes advised only two people were at the meeting because most other attended the MAT District 4 meeting that occurred at the same time in St. Peter. The only issue discussed was moving equipment from old engine to new engine. There was no quorum present. Fire Department presented its new \$18,000 drone.

13. Treasurer Items.

- a. Hutton reviewed Township credit card use policy he prepared. Haag and Taylor DuCharme initialed policy to confirm receipt.
- b. Still working on online access by Hutton to view credit card use. Hutton will advise when he has online viewing access.
- c. IRS Notice. Hutton advised he called IRS regarding notice. IRS has two returns showing for Q3 2020. After investigation during call with IRS, Hutton discovered IRS applied Q3 2020 & Q3 2021 filing both to Q3 2020. The refund received last year for Q3 2020 was from incorrectly calculated overpayment by IRS based on the IRS incorrectly applying the Q3 2021 filing statement to Q3 2020. IRS advised Hutton to submit a letter of dispute for penalties and interest, refile Q3 2021, and file amended Q3 2020. Hutton submitted the requested returns and letter by mail and is waiting for a response. He will check with IRS next month if he does not hear back by then. Hutton will submit claim to pay the missing amount at next meeting.
- d. CTAS. Hutton wants to find out if CTAS allows for efilng of tax forms (i.e. 941). If CTAS does have a function for efilng, the Township may be able to avoid problems with the IRS misapplying paper filed forms.

14. Other.

- a. Claims. Reminder by Croatt to submit claims by September 4, 2022.
- b. Vendor/Contractor Behavior. Wermerskirchen advised of the need for vendors to act in a professional and respectful manner at meetings. Wermerskirchen referenced past problems with vendors creating scenes at meetings.
- c. Snowplow Quotes. Haag advised he was contacted by a potential vendor about submitting a

snowplow quote. Haag asked if that Township wanted quotes from new vendors. Wermerskirchen advised yes. Croatt advised Haag of what information needs to be provided in the quote (equipment available to use and hourly rates) and offered to email Haag a sample snowplow contract for reference. Croatt advise Haag quote needs to be submitted before or at the September 8, 2022 meeting.

- d. Township Tuesdays Recap. Taylor DuCharme attended Township Tuesday meeting on 8/16/2022. Items discussed were 90 day grace period for new clerks to get Ex Officio notary stamp, ARPA annual renewal, MATIT renewal dates, open meeting requirements for pandemic status and planning for non-pandemic status, and alcohol at Township meetings.
- e. Bauer. Carol Bauer sent a thank you card for Croatt sending her a card from the Township. Bauer is home and improving.
- f. Township Insurance. Taylor DuCharme advised the Board that at the MAT District 4 meeting on August 10, 2022, MATIT discussed listing a schedule of items covered by insurance. MATIT advised Taylor DuCharme that the tabulator can be a listed item on the schedule of items. Board agreed that tabulator, poll pads, laptops, printers/copiers, and chainsaw should be added to schedule of items. Taylor DuCharme will contact MATIT to amend schedule.
- g. ORI. Taylor DuCharme advised Board that Township received approximately \$270 in ORI funds.
- h. Website. Croatt advised Board of updates to website.
- i. Xeon. Discussed signage changes on other township roads and state/county compliance issues.

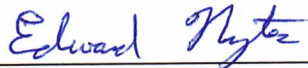
Motion to Adjourn at 7 p.m. by Wermerskirchen/Nytes; carried 2/0 (Deutsch not present).

Respectfully submitted

Approved

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Heather Taylor DuCharme, Clerk

  
Edward Nytes, Chairperson