

MINUTES OF THE HAVEN TOWN BOARD MEETING
August 15, 2022

CALL TO ORDER

The Haven Town Board met at the Haven Town Hall on Monday, August 15, 2022. The meeting was called to order at 7:00 p.m. by Chairperson Kathi Sims-Kosloski. Members present: Supervisor Kathi Sims-Kosloski, Supervisor Mark Knowles, Supervisor Eric Meyer, Supervisor Randy Linn (via Zoom), Supervisor Michael Pesch (via Zoom), Deputy Treasurer Roger Johnson and Deputy Clerk Tammy Schefers. There were four people who attended the meeting in person and two others besides the board members via zoom.

SHERBURNE COUNTY SHERIFF REPORT

Sergeant Geoff Dowty reported that there were 128 incidents for the month of July. The board had questioned if there was an accident report regarding a street sign that was hit on 45th Avenue SE and Hwy 10. Sergeant Dowty followed up and was unable to locate any incident relating to the sign damage. MN State Patrol was not able to locate anything either. He did however complete a report for documenting the incident.

OPEN FORUM

Teri Dickenson of Big Lake, MN spoke to the board members on behalf of a motion that was made at the July monthly meeting of hand counting the ballots after the primary election. Please see attached letter that was submitted by her. Supervisor Kathi Sims-Kosloski made the comment that the Haven Township Attorney David Meyers advised not to take this into any further discussion.

APPROVAL OF AGENDA

Supervisor Eric Meyer made a motion to accept and approve the agenda with confirming that Supervisor Kathi Sims-Kosloski is not going to become a Notary, and adding under Claims, Computer Dynamics for \$699.99 and Transferring Funds from Road Account to Fire Account for \$35,000.00. Supervisor Mark Knowles seconded the motion. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – Aye; the motion carried.

READING OF THE MINUTES

Supervisor Eric Meyer made a motion to approve the July 18, 2022 board meeting minutes. Supervisor Mark Knowles seconded the motion. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – Aye; the motion carried.

BUILDING PERMITS

Just for reference; Sherburne County sends an e-mail report of building permits each month to the Clerk for all the Townships. There were twenty-nine building permits for Haven Township this month.

LIST OF CLAIMS

St. Cloud Times	\$ 525.10
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U.S. Postal Service	\$ 364.00
Quill Corporation	\$ 411.81
Electronic Federal Tax Payment System	\$ 1,749.73
Tammy Schefers	\$ 630.60
Clara Schefers	\$ 480.00
Tyler Hagen	\$ 1,000.00
Shift Technologies, Inc.	\$ 177.00
Jeff Rhodes / Driveway Services	\$ 4,358.50
Jeff Rhodes / Driveway Services	\$ 21,735.00
B & G Excavating, Inc.	\$ 1,505.00
B & G Excavating, Inc.	\$ 28,092.97
Rinke Noonan Attorneys at Law	\$ 5,332.96
Bogart, Pederson & Associates, Inc.	\$ 1,870.00
Sherburne County Auditor/Treasurer	\$ 100.00
Computer Dynamics	\$ 699.99
Total:	\$ 69,557.76

Fire Fund (Transfer Funds)	\$ 35,000.00
Payroll (Separate)	\$ 7,284.53
PERA (Deposit)	\$ 735.00

Supervisor Eric Meyer made a motion to accept and approve the claims as stated. Supervisor Mark Knowles seconded the motion. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – Aye; the motion carried.

PUBLIC COMMENT

None

OLD BUSINESS

Road Planning & Bonding Options – No New Updates; Place on December Agenda

County Road 65 - 45th Avenue – Hwy 10 Realignment – There will be a Public Meeting held September 13, 2022 at 2:00 p.m. at the MN DOT Headquarters in St. Cloud. Supervisor Eric Meyer and Supervisor Kathi Sims-Kosloski would be willing to attend this meeting.

40th Street Culvert – Supervisor Eric Meyer made the comment that the new culvert has been installed. All the photos of the process can be seen in the files on the i-Pad. The old culvert was rusted and collapsed. Supervisor Mark Knowles asked if there will be any rip-rap placed around the culvert and vegetation. Supervisor Eric Meyer made the comment that there will not be rip-rap but rocks will be placed around the area and yes, seeded for vegetation for growth.

Wet Hydrants – Supervisor Eric Meyer is working with the Sauk Rapids Fire Chief and property owners for wet hydrant options within the township. He gave the board members a map with proposed sights for these hydrants. He will keep the board updated on the progress as he continues. It was brought up that he makes sure that there is always access to these hydrants especially during the winter season.

Hammer - Water Holding in Field – Supervisor Eric Meyer handed out a sheet to the board members and talked to the board about options in Sherwood Shores West for holding water in the farm field on the Hammer property or in the township ditch. After recommendations given from Bogart, Pederson and Associates there were two options; Berm Option or Pond Option. Supervisor Eric Meyer discussed both options with the board. He will continue discussing this with the Hammers and Sherburne County. This will be on the agenda for next month.

Motion to Revert Planning & Zoning to Sherburne County – Supervisor Eric Meyer had discussed about a Motion to Revert Planning and Zoning to Sherburne County. Supervisor Kathi Sims-Kosloski also liked the idea of reverting it back to Sherburne County. The board decided that they would like to have a workshop together and invite Lynn Waytaskek to discuss the details and the process for this to happen. The County is willing to change back the entire township of Haven. The goal would be to have a more transparent process for residents. There would be staff available during business hours and it would lower the cost to residents. The board set aside a tentative date of Friday, September 16, 2022 at 5:00 p.m. for the workshop session.

Bank Account Interest Bearing Research – Consider to Switch Banks

Supervisor Randy Linn did research ten different banks and reported it to the board members. He came up with the recommendation of three that he felt the board may consider switching to; Sherburne State Bank; Kensington Bank or Stearns Bank. Deputy Treasurer Roger Johnson recommended Sherburne State Bank. That is who Palmer Township uses and they are pleased with that bank; he would recommend them. After the board had more discussion, the two banks that they will consider switching to are Sherburne State Bank or Kingsington Bank. Supervisor Randy Linn will contact these two banks to see if they have signature cards available for the Chairperson; Treasurer; and Appointed Supervisor. He will also get application forms and collect the information needed to start the process. The board will discuss this again next month.

Primary Election Results – Penny Weihrauch talked about how the primary election went well. There were two Precincts this year for Haven Township. There was a nice flow of traffic all day. She made the comment that we were told by Sherburne County and advised by Haven Township Attorney that we could not hand count the ballots at the end of the night. She asked the board if it would be possible to get 3 six foot tables; 3 extension cords (14 gauge); 2 power strips; surge protectors; safety tape for marking and tape for cords. After discussion on this, Supervisor Mark Knowles made a motion to accept and approve her request for these items for the elections as long as the total of the items do not exceed over \$2,000.00. Supervisor Eric Meyer seconded the motion. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles –

Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – Aye; The motion carried. The board will draft a resolution for this and place it in the proper fund account. This will be kept on the September Agenda.

It was also questioned if the Board of Canvass had to meet after the primary election. It was stated; no, not the Primary Elections; just the General Elections the Board of Canvass Meets.

Draft Resolution for the Clerk & Treasurer Positions – Supervisor Kathi Sims-Kosloski talked with Diane Arnold and Legal Counsel David Meyers on the process needed to have a ballot question of the Clerk & Treasurer Positions split for Haven Township at the general election. A draft resolution was created and the board members discussed this and the process. After discussion Supervisor Mark Knowles made a motion to approve and accept this resolution 2022-10 that requests authorization from the Town voters to abandon the combined, appointed Town Clerk-Treasurer position and to ask the voters to adopt separate appointed Town Clerk and Town Treasurer positions. Supervisor Eric Meyer seconded the motion. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – not present for the motion; was off-line at 8:46 p.m.; the motion carried. The questions will be placed on the general ballot for the residents to answer. Supervisor Kathi Sims-Kosloski and Deputy Clerk Tammy Schefers will create a postcard to go out to the residents to inform them so they understand the questions being asked. The postcard will be sent out right before the general election.

65th Street SE Road – Double Chip Seal – Supervisor Eric Meyer had papers for the board members to look at and discuss about several roads that needed to be addressed within the township. The roads that were discussed were 65th Street SE; 55th Avenue SE; 45th Avenue SE; 35th Avenue SE; 65th Avenue SE and 40th Street SE.

After discussion on this Supervisor Mark Knowles made a motion to accept and approve Allstates Pavement Recycling & Stabilizations Reclaim, Grade & Compact proposal. This will be done no later than September 15, 2022. It includes temporary traffic controls with signs placed prior to work starting, erosion control and any soil corrections as required; 35th Avenue SE - \$36,824.48; 65th Avenue SE - \$22,100.00; 40th Street SE - \$24,704.00 for a total of \$83,628.48. Supervisor Eric Meyer seconded the motion. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – not present for the motion; the motion carried. The Deputy Clerk will send out notices to all residents along each road before the road project starts.

Supervisor Mark Knowles made a motion to accept and approve Astech Surface Technologies Corporation bid for \$68,067.00 to resurface 50th Avenue SE per bid dated August 5, 2022. This is for patch work and overlay of Ultra Thin Bonded Wear Course. Supervisor Eric Meyer seconded the motion. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye;

Supervisor Randy Linn - Aye; Supervisor Michael Pesch – not present for the motion; the motion carried. The Deputy Clerk will send notices out to the residents.

Supervisor Mark Knowles made a motion to accept and approve Astech Surface Technologies Corporation bid for \$47,873.00 to resurface 45th Avenue SE per bid dated August 5, 2022. This is for patch work and overlay of the Ultra Thin Bonded Wear Course. Supervisor Eric Meyer seconded the motion. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – not present for the motion; the motion carried. The Deputy Clerk will send notices out to the residents.

Note: Road work will be done in combination at the same time 65th Street SE and 55th Avenue SE to save money on mobilization costs.

Job Descriptions – Clerk; Deputy Clerk; Treasurer; Deputy Treasurer; Supervisors; Election Judges; etc... This will be discussed next month.

Deputy Treasurer Laptop Update – Supervisor Eric Meyer talked with the board members about getting the Deputy Treasurer a different laptop so it is compatible with the State of MN CTAS Program. After discussion on this Supervisor Mark Knowles made a motion to accept and approve for Supervisor Eric Meyer to go ahead and get this computer set-up for the Deputy Treasurer from Computer Dynamics. It will be a HP ProBook 15"; I-7 Processor; 16GB RAM; 512 SSD; Windows 10 Professional for \$699.99 Tax Exempt. This does include moving the data from the old computer to the new one. Supervisor Kathi Sims-Kosloski seconded the motion. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – not present for the motion; the motion carried.

There is also included in this an on-site training charge for Katie to work with the leadership team at the township hall if the township is interested in this; the cost is \$125.00 per hour with a 1 hour minimum per session. Also available is in store individualized training at Computer Dynamics \$50.00 per half hour.

Road Damage on 45th Avenue SE – The board members discussed this and they will waive the fee for this, due to the person who was at fault, just passed away.

NEW BUSINESS

Advertise for New Township Clerk/Treasurer – The board will hold off on this until they see a resignation form the current Clerk/Treasurer.

Authorize a New E-mail for Temporary Deputy Treasurer – Supervisor Eric Meyer talked to the board about having a temporary e-mail address for the current Deputy Treasurer. After discussion on this Supervisor Kathi Sims-Kosloski made a motion to accept and approve getting a temporary e-mail address for the current Deputy Treasurer. Supervisor Mark Knowles seconded the motion. Role Call was taken; Supervisor Kathi

Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – not present for the motion; the motion carried.

BUSINESS FROM THE SUPERVISORS

Supervisor (Chairperson) Kathi Sims-Kosloski –

Sherburne County Planning Commission Update: She will be attending the meeting on Thursday, August 18, 2022.

31st Street SE – Teder's Addition – Supervisor Kathi Sims-Kosloski talked to the board members about the end of the road in Teder's Industrial Park. They are still waiting for the Jersey Barriers to be installed. People are still going through to access Highway 10 from this area. After discussion on this Supervisor Mark Knowles made a motion to accept, approve and authorize Supervisor Kathi Sims-Kosloski to proceed with the road order for this area. Supervisor Randy Linn seconded the motion. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – not present for the motion; the motion carried.

Becoming a Notary – Supervisor Kathi Sims-Kosloski talked about how the Deputy Clerk Tammy Schefers took it upon herself to become a notary while the Clerk Mike Zniewski is on medical leave. After discussion on this Supervisor Kathi Sims-Kosloski made a motion to cover the costs and expenses needed to become a notary for the Deputy Clerk, Tammy Schefers. Supervisor Mark Knowles seconded the motion. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – not present for the motion; the motion carried.

Supervisor Mark Knowles – None

Supervisor Eric Meyer –

Road Project Approval – The board will discuss this next month.

Township Sign Replacement – There are several signs within the township that need to be replaced. Once again it was discussed about resurfacing the signs that are in the shed. Supervisor Eric Meyer will connect with Newman Signs and some other places to get an idea of how much the signs will cost to have resurfaced or be replaced. Penny Weihrauch asked if the Highway 10 / Del-Tone signs could be replaced due to they are faded by the sunshine and are hard to read.

Supervisor Randy Linn – Supervisor Randy Linn questioned about the GIS Road Survey Program. Supervisor Eric Meyer made the comment that it has been completed and now he is just working with it to get familiar on how to use it.

Supervisor Michael Pesch – None (Left Meeting Early)

TREASURER UPDATE

Deputy Treasurer Roger Johnson spoke with the board members on how he would like to see separate mileage/expense forms turned in by the board members. Currently the payroll and expenses are on the same form. Payroll records are not public information. He also gave a summary on reports he will eventually be giving the board members each meeting to view. He also suggested to the board that they do a line item transfer or a permitted transfer. After discussion on this Supervisor Mark Knowles made a motion to move \$35,000.00 from the Road & Bridge Fund and Transfer the \$35,000.00 to the Fire Fund. Supervisor Kathi Sims-Kosloski seconded the motion. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – not present for the motion; the motion carried.

CLERK UPDATE

Monthly Pay-Out Claims - Payroll and Mileage Need to be turned into the Deputy Treasurer or Deputy Clerk by **the Tuesday before the Monthly Board Meeting Date by 6:00 p.m. in order to get paid for the month.**

Supervisor Eric Meyer will create two separate grids/forms; one for just Payroll and the other for Mileage and Expenses and place them on the i-Pad for the staff to use.

COMMUNICATIONS

MN Association of Townships – Online Training / Newsletter Updates / Meetings
Sherburne County Planning & Zoning – Public Hearings
Sherburne County Association of Township Meeting Agenda
Charter Communications

OPEN FORUM

ADJOURN

It was moved by Supervisor Mark Knowles seconded by Supervisor Eric Meyer to adjourn the meeting. Role Call was taken; Supervisor Kathi Sims-Kosloski – Aye; Supervisor Mark Knowles – Aye; Supervisor Eric Meyer – Aye; Supervisor Randy Linn - Aye; Supervisor Michael Pesch – not present for the motion; the motion carried, and the meeting was adjourned at 9:42 p.m.

Kathi Sims Kosloski
Chairperson

9/19/2022
Date

Randy Linn
Deputy Clerk-Acting Clerk

9.19.2022
Date

8/15/2022 Minutes
OPEN FORUM

Excerpts of state statutes are referred to...

~On July 18, 2022 Haven Township Board passed a motion (by Eric Meyer) to hand-tabulate the races as well as use the Dominion voting system, so they could compare the number of votes for each candidate between the two methods during the Primary Election August 9th to see if the results were equal. Head Election Judge Penny has been an EJ since the 1970's, and hand counting was the only way they counted the votes; she would hand count the race results according to the board's wishes. We all want to make sure Haven Township is accurate on all accounts...

~ On August 9th, Primary Day, I arrived at this town hall, to observe the hand-tabulating process, but the doors were *locked*.

Statute **206.86 subd 3**, "...open to the public... under the direction of the official in charge of elections in each municipality where an electronic voting system is used..." **subd 4**, "...automatic tabulating equipment ...The results ...available to the public..."

~***204C.19 subd1** "...hours for voting have ended and all voting has concluded...shall immediately count the votes cast at the election... at the polling place and shall be public..."

However, I witnessed no hand-tabulating of the races which violated the decision of the board. The Election Judge Guide of 2022 even explains the Hand-Count p.49-52. Since it is in the current Election Judge Guide it must be an option.

~MN Statute **206.58** clearly defines townships' authority to either use or refuse the electronic voting system. Use of the machines was conditional on hand-counting the votes in each race for comparison.

206.58 subd 1. MUNICIPALITIES. "The governing body of a municipality, at a regular meeting or...special meeting called for the purpose, may provide for the use of an electronic voting system..." **subd 3** "...The governing body of the municipality shall give approval before an electronic voting system may be...used in the municipality under the authority of this section."

~Due to the fact that the Haven Township Supervisors passed a motion (to hand-count the number of votes for each candidate and compare those totals to the totals tallied by the Dominion machine in accordance with Haven Township's statutory authority as defined in **206.58 subdivisions 1 & 3**) and that the motion (which was conditional on hand-counting the votes in the races) was willfully and with knowledge disregarded by the HEJ, the HEJ caused MN State Statutes to be violated. Additionally I believe that the HEJ overstepped her authority and violated **204C.19** and **206.86 subd 3** denying my right to see the unofficial results based on her statement that I was not there promptly at 8 p.m. In fact the results tape within her reach.

Tom Dickerson