

Attendees: Town Board members: Chairman, Pete Parris; Supervisor, Cathy Nielsen; Clerk/Treasurer, Jean Moore and Administrative Assistant, Jan Held. Absent: Vice Chair, Mike Klingelhutz.
Guests, Harold Bire, Tim Eiden, Paul Gerold, Randee Gerold, Carol Hauck, Dan Krueger, Kim Krueger, Trudy Vogel

Regular Town Board meeting

The meeting was called to order at 6:00 pm

Adopt Regular Agenda

ACTION: Motion by Chair Parris

Second by Supervisor Nielsen

RESULTS: Motion carried unanimously. None opposed

Consent Agenda

Approve Consent Agenda

ACTION: Motion by Chair Parris

Seconded by Supervisor Nielsen

RESULTS: Motion carried unanimously. None opposed.

Treasurer's Report

Approve payment of claims list #13054-#13082 = \$46,426.18

ACTION: Motion by Chair Parris

Second by Supervisor Nielsen

RESULTS: Motion carried unanimously. None opposed.

The Schedule 1 Treasurer's Report was reviewed and approved with the addition of the General Fund ending balance total.

ACTION: Motion by Supervisor Nielsen

Second by Chair Parris

RESULTS: Motion carried unanimously. None opposed.

Receipts Register

Accept Receipts Register - \$4,565.63

ACTION: Motion by Chair Parris

Second by Supervisor Nielsen

RESULTS: Motion Carried unanimously. None opposed.

New Business

- Opening the discussion of Augusta Road Improvement Chair Parris gave a current update of the road count for Co Rd 43 of about 126 cars per day. They anticipate a two-week peak for egg business traffic. These are similar numbers to last year.
- Dan Krueger asked what the critical numbers are.
- Chair Parris stated over 200 cars per day is required for dust coating. Over 600 cars per day required for paving a road.
- Laketown has spent about \$33,500 on maintenance for Augusta Road in the last ten years. This only includes the shared portion of the road. If the "dog leg" is included it would be \$46,000. (No snow removal is included) This does include summer maintenance and the cost of a culvert replacement of \$2,980 with paving in the area for a total of about \$6,000 for the culvert project.

- Carol Hauck asked what is considered road maintenance?
- Chair Parris identified depending on the amount of traffic on the road the schedule of maintenance many vary. A new Laketown Road Policy was developed by the current Board in the last year.
 - A paved road has crack sealing annually
 - Every five to six years chip sealing is done
 - When the road is about twenty years old it is reviewed with the assistance of a road engineer if the road should be ground down and resurfaced to maintain a good crown on the road
 - Crack sealing continues annually and chip sealing every five to six years continues
 - At approximately thirty years old the road is reviewed to be rebuilt and repaved. At this time no further crack or chip sealing is recommended. Filling of pot holes may continue until the road is able to be rebuilt
- Chair Parris added when Augusta Road was about twenty years old it was not ground down/resurfaced to add more life expectancy to the road. Minimal maintenance and filling of pot holes continued annually. Now the road is more than thirty years old and has deteriorated beyond the effectiveness of repair and must be addressed immediately.
- Carol Hauck asked when Augusta Road was last chip sealed?
- Chair Parris advised he did not have that information. The Township has been advised by our road engineer the chip and crack sealing are not effective and a waste of money on a road that has not been resurfaced after twenty years of age.
- Supervisor Nielsen commented it may be a number of years that Augusta Road had been chip sealed. A new plan and schedule have been created in the last year and one half to make sure all Township roads are reviewed and maintained appropriately. This a unique road in which the road is shared by two townships both Dahlgren Township and Laketown Township must come to an agreement on the future of the road. Dahlgren Township Board was invited to our April meeting to discuss this road.
- Chair Parris shared the Laketown Board asked him to reached out to the Dahlgren Board in April 2021 and they responded they had no appetite to fix Augusta Road. He contacted them again in August of 2021 after our annual meeting where residents asked about fixing Augusta Road. Dahlgren Board responded the same; they had no appetite to fix Augusta Road. He contacted the Board again after our annual meeting in March of this year, they responded they agree we need to talk.
- Trudy Vogel shared, Pat and Sue Clay specifically recall when she was pregnant in 1980 was the last time Augusta Road was chip sealed.
- Chair Parris confirmed the Township does a road tour every year and stops to look at Augusta Road. Our road engineer advised that chip sealing is no longer effective because of the deterioration of the road. Filling pot holes is done to make the road passable. The road is past maintenance and is at the point that is has to be rebuilt.
- Paul Gerold summarized, engineers advise the road needs to be rebuilt, Laketown would like to rebuild the road, routine maintenance is no longer effective and has not been kept up. Currently, we need to get Dahlgren Townships cooperation and funding to move forward.
- Chair Parris agreed and advised Laketown Township had come up with three proposals
 - Share the cost of paving the entire road 50/50 with Dahlgren Township. This would be \$131,000 for each Township. Dahlgren did not want to be included in the rebuild of Laketown's portion of the road. Laketown's reasoning was that everyone has to drive that portion of the road to get to their homes. It would be more cost effective to have the entire road rebuilt at one time, instead of separate sections
 - Commissioner Fahey urged Laketown to apply for ARPA funds for the road
 - We proposed to request \$150,000 from Carver County ARPA funds. The total cost being roughly \$280,000 including engineering costs
 - With ARPA funds, the remaining would be split by the Townships or \$65,000 each.

- Paul Gerold asked how does Laketown assess the road costs to the residents?
- Chair Parris advised Laketown will need to stay consistent with the same policy used for other roads and neighborhoods. Currently the policy states 40% of the road cost would be paid by the Township and 60% would be assessed to the resident. If a resident has more than 80 acres boarding the road, they would be assessed an additional share per twenty acres.
- Randee Gerold asked if a new road would encroach on anyone's property if it is rebuilt?
- Chair Parris responded according to the engineer it would be similar to the current road but may be a little wider.
- Timothy Eiden stated he has lived on Augusta Road since it was built. He was there when an agreement was made between Laketown and Dahlgren Townships. Laketown would take care of the tar and Dahlgren would take care of the gravel. He strongly feels Laketown has not sufficiently maintained the paved road per the agreement made with Dahlgren forty-five years ago. It is not reasonable to ask Dahlgren to contribute to costs for Laketown's road.
- Chair Parrish responded Laketown has maintained the road, a road does not last for more than thirty years. Routine maintenance such as crack and chip sealing are no longer effective and cost effective. Pot holes can be filled to keep the road passable, but Augusta Road is at a point where it needs to be rebuilt and deteriorated past the effectiveness of maintenance. Because it is a Townline road a mutual agreement must be made by both townships for the rebuilding of the road
- Timothy Eiden argued Laketown has not maintained the road. It is not reasonable to ask Dahlgren to contribute to the cost of the road Laketown has not sufficiently maintained. He referenced a recent article regarding road maintenance in the Star Tribune dated May 9th
- Supervisor Nielsen commented if a road is maintained perfectly, it still would not last for forty years. The road may not have been originally built to specs at the time. We can dismiss the previous agreement as null and void in thirty days. Each side would be responsible for fixing their side of the road. We do not want to do that. We want to fix the road that is acceptable to the residents and both Townships
- Chair Parris advised he does not know what has been done in the past but Laketown has maintained the road and has spent \$33,500 in the last ten years in maintenance. The road engineer has advised crack and chip sealing are not effective at this point and a waste of money. The road is past its life expectancy and needs to be rebuilt. No road lasts longer than thirty years no matter the maintenance made on the road. Summit road is in a similar situation. It is thirty-one years old and crack and chip sealing is no longer effective. The road needs to be re-milled and resurfaced. The residents are assessed 85% of the costs.
- Timothy Eiden argued Laketown needs to stand up to the agreement made by the previous Board. He asked if Laketown could annex the road to Dahlgren and pay \$5,000 an acre for annexation?
- Chair Parris did not believe the Board would unanimously agree to that arrangement.
- Timothy Eiden and Kim Krueger complained the pot hole patch has not been sufficient either.
- Chair Parris advised the current asphalt plant is shut down and Brian has had to go to Shakopee for patch for the roads. The pot holes should be completed soon
- Chair Parris asked the residents what direction do you want to go? He is not agreeable to pay 100% of the rebuild of the road.
- Kim Krueger stated because we can ask for funds designated for road reconstruction from the County, why not ask for full funding of the road rebuild? We assume Dahlgren will hold a hardline and not feel they are responsible for contributing to the paved road being rebuilt. If we do not get 100% funding, we would not be able to move forward and get a new road.
- Chair Parris advised it is his experience the county requires that all parties contribute to a project voluntarily. He does not feel a request for full funding would be approved.
- Chair Parris presented another proposal; if we receive \$150,000 from the County, we apply it to the rebuilding of the road in front of residents' homes and the rest of the road made into gravel. You can't redo maintenance. You need to rebuild or repave a road.
- Kim Krueger commented we have paid taxes and received nothing.

- Chair Parris clarified there is no clear definition of maintenance. Assessments are typically disputed because they have been assessed too much. All residents pay ongoing taxes and receive assessments for maintenance of their roads. The precedence established in Laketown township is the current road policy in which residents pay on going taxes and also receive assessments for road costs.
- Kim Krueger advised the current pot hole patching is not working. The patch pops out when it freezes.
- Supervisor Nielsen commented the patch has nothing to adhere to as the road no longer has structure. You feel the past maintenance of the road was not sufficient is unfortunate, we cannot change the past. Currently, even if the road was maintained perfectly every year to date, a road is not meant to last for forty-seven years. We are now at a point where something needs to be done.
- Chair Parris offered a second option making the entire road gravel which would be about \$40,000
- Randee Gerold advised a meeting several years ago concluded you couldn't make the road into gravel because the houses are too close together
- Chair Parris clarified it can be done, it's not advisable and residents probably would not be in favor of it.
- Randee Gerold ask, why is the "dog leg" part made into gravel?
- Chair Parris advised that one of the criteria of paving a road under our current road policy is to have more than 600 cars per day and the road does not meet that requirement.
- Randee Gerold shared making the road gravel would negatively affect the value of their homes and would not be acceptable.
- Chair Parris advised your taxes would triple if the township paid 100% to rebuild all paved roads.
- Supervisor Nielsen commented we don't collect sufficient taxes to pay for 100% to rebuild paved roads.
- Chair Parris stated we budgeted \$80,000 for gravel up from \$50,000 from last year.
- Timothy Eiden advised if you have paved roads you need to assess sufficient taxes to maintain the paved roads. Laketown is not charging enough taxes to take care of their paved roads.
- Supervisor Nielsen clarified we do not collect sufficient taxes to rebuild all the paved roads we currently have. Many of our current roads have reached their maximum life expectancy. We have now created a schedule to review all the roads for repair and schedule the repair/rebuild in sections over the next sixty years.
- Chair Parris shared it is his experience that the County would look for all involved to voluntarily put funds into the project. He does not feel the county will fully fund 100% for the rebuild of the road.
- Kathy Krueger added we should just try. We will not get a road unless we find a way to find complete funding. These funds are designated for road construction. We need to find a path forward. We are willing to pay the assessments.
- Trudy Vogel commented this a position we can agree to. We will pay the assessment if we are able to secure funds to help rebuild the road. If you request Dahlgren to pay half, they will not agree to that.
- Kathy Krueger asked why wouldn't Laketown automatically pave the section that is in their township?
- Chair Parris stated the old policy was to assess residents 100% for the rebuild, but the township has changed their policy for the Township pay 15% and 85% assessed to the residents. We raised taxes a year ago 2.9% and residents were upset. It is unreasonable to raise taxes 10 or 12%.
- Tony Eiden strongly stressed Laketown is responsible for 100% of the "dog leg" or the road that is in Laketown township.
- Chair Parris acknowledged he has submitted a request for \$150,000 and willing to change the request for funds not to exceed \$300,000 to fully fund the rebuild of the road.
- Kathy Krueger clarified if Laketown will agree to pay for the rebuild of the road from County Road 43 to Clay/Eiden property and if Dahlgren would agree to split the cost of the rebuild of the road in front of the houses which is the Townline road, this is an agreement we can live with and move forward with.

- Chair Parris responded they will take a look at the road before they could come to a consensus and commit to any agreements.
- Trudy Vogel commented she does not feel Dahlgren will be willing to pay anything.
- Chair Parris asked the residents what do they want to do? Do you want to request full funding for the rebuild of the road? If the funding of the road does not come through, then what? Kim Krueger said we will live with road as is and still complain about it.
- Carol Hauck feels we should reapply for funds if they are initially denied.
- Supervisor Nielsen advised if we do not request the funds from the county now, there will be no funds available in the future.
- Dan Krueger stated Dahlgren feels because Laketown has not kept to the agreement made forty-five years ago, they are not willing to contribute one cent.
- Supervisor Nielsen summarized the minutes of Dahlgren's meeting stating Dahlgren and residents are not willing to upgrade the road and yearly patches are sufficient at this time.
- Supervisor Nielsen stated, I apologize if you feel the maintenance was not sufficient but we are here now, trying to address the problem now. If we have a new road, who is going to maintain it going forward?
- Chair Parris clarified that Laketown has maintained the road. It may not be up to your standards. Repaving and rebuilding a road are not maintenance.
- Tony Eiden advised the topic of getting attorneys involved has been discussed.
- Chair Parris indicated the same attorney represents both Laketown and Dahlgren Townships. Each would have to secure separate representation.
- Tony Eiden repeated Laketown must raise their taxes to have sufficient funds to maintain their paved roads.
- Chair Parris identified we currently have a scheduled plan for all road maintenance. This agreement made forty-five years ago is a bad agreement and should have never been signed. A future agreement should state that all maintenance and costs will be split.
- Supervisor Nielsen advised we are not sure how Augusta Road came to be paved. If Dahlgren is not willing to contribute to the rebuild of the road, it also tells me they will not be willing to contribute to the maintenance of the new road.
- Carol Hauck stated we need to request funds first. The road has become a safety hazard, especially for motorcycles. I think if we got funds maybe we could go back to Dahlgren again and revisit the possibility of sharing the costs in front of the houses. If we don't get the funds, we should reapply for funds again.
- Supervisor Nielsen advised a maintenance agreement for the new road must be in place before the road is rebuilt.
- Trudy Vogel stated they use to do a good job of patching pot holes. When did they stop doing a good job of patching?
- Supervisor Nielsen commented they may have stopped because the road had become too deteriorated and would not hold a good patch.
- Trudy asked what can you do then? It does not seem fair we have to pay for a road that was not maintained well.
- Chair Parris clarified every road has a life cycle, no road lasts for forty years, this road has gone beyond repair and needs to be rebuilt by grinding down, replacing the base and rebuilt and then regular maintenance can be scheduled. It has to be rebuilt to be maintained again.
- Paul Gerold recommends we request full funds for the rebuild of the road. We assume there will be more reasonable dialog with Dahlgren again. We may have new decisions to make. It is reasonable to move forward in that way.
- Chair Parris agreed it is reasonable to move forward by contacting Commissioner Fahey, requesting the funds of not more than \$300,00 for the rebuild of the road.
- Paul Gerold asked if the county is aware that we are try to reconcile two different township positions?

- Chair Parris said the commissioners are aware of the two townships separate positions on the Townline road. He will again make that clear we are trying to address the road to the satisfaction of the residents and all involved. Our attorney was present and stated if an agreement cannot be made it is defaulted to the county.
- Kim Krueger advised the commissioner is looking for a united front.
- Supervisor Nielsen asked if the Dahlgren Board members will be at the commissioner meeting?
- Kim Krueger advised they would be there and she and two others would be presenting.
- Chair Parris advised the three Laketown Board members plan on being there.
- Carol Hauck asked if all three proposals were presented?
- Chair Parris commented they basically are: all paved, partially paved and all gravel.
- Supervisor Nielsen asked if the residents would be open to an assessment?
- Paul Gerold agreed they are open to an assessment. They realize you don't have the money and it needs to be done. Residents will have to pay for part of it.
- Trudy Vogel stated they understand.
- Paul Gerold advised he is pretty sure all the residents do not want the road to be gravel.
- Supervisor Nielsen clarified a specific maintenance plan needs to be clearly laid out for a new road for future maintenance and costs to be split fifty/fifty.
- Supervisor Nielsen commented that previous Boards have been told in the past not to worry about maintaining roads as properties will be annexed to boarding cities. We know now that is not the case for most areas. We must make plans to take care of these roads.
- Chair Parris added he would bet that back forty-five years ago they were told not to worry about the maintenance of the road as it will be someone else's problem in the near future.
- Carol Hauck asked if the new road would be built to accommodate heavy farm equipment?
- Chair Paris confirmed it would be reviewed by a road engineer and made to accommodate farm traffic.
- Supervisor Nielsen clarified it will not be a nine-ton road or up to county specs. We are not asking for county money. We are asking for ARPA funds for this road.
- Carol Hauck voiced a concern of asking for sufficient funds for a nine-ton road.
- Chair Parris advised there is not sufficient space for ditches and specifications required by a nine-ton road.
- Timothy Eiden also added some traffic is required to use this road because of the height of the rail road bridge and county road can't be used.
- Kim Krueger asked what should be included in our presentation?
- Chair Parris suggested to include the previous agreement does not clarify the maintenance of the road, describe the Ag traffic, how close the houses are to the road, how unsafe the road is.
- Paul Gerold asked to include the road is expected to further deteriorate.
- Chair Parris agreed every road has a life cycle of about thirty years and the road is deteriorated beyond repair. He will speak with Dahlgren again to confirm a clear maintenance plan needs to be in place for the future.
- Trudy Vogel will forward pictures to Jean by June 6th to be included in the packet for the commissioners.
- Trudy Vogel suggested they present they have come to an agreement that no one could agree on.
- Supervisor Nielsen thanked our guests for their information, history, concerns and opinions. We want to do everything we can to get this done.

Continued New Business

- Waconia Fire Service Cost Sharing has dropped about 17%.
- Approve Letter of Support for Carver County's Highway Improvement Program Application
ACTION: Motion by Chair Parris
Second by Supervisor Nielsen
RESULTS: Motion carried unanimously. None opposed.

