

Dresbach Township

Special Meeting

8/15/19 Special Meeting with Attorney @ 5:00pm
Dresbach Town Hall

-Attending: Dave McCann, Nick Erdmann, Brant Amble, Jay Low, Jim Huerkamp, Jodi Erdmann, David Gilster, Larry Baeder, Claude Mosley, Deb Tesch, Jeff Tesch, Jim Keiper, Karen Keiper, Merlin Thompson, Bruce Nordeen, Tom Jeseritz, Connie Jesertiz, Jim Nordrum, Paula Nordrum, Tom Cordes, Bob Bullis, Tina Bullis, Jennifer Nordeen, Janice Hoeschler, Tammy Heintz, Kerry Brinkman, Tim Mormann

5:00pm called meeting to order and recited the Pledge of Allegiance

Review GREEN Public Comment Sheets submitted

Introduction of Sarah Schwarzkoff, Township Attorney.

Discussion about the outcome of Pete's/Reinhart/Hengel Litigation and the Judge's ruling finding that the Dresbach SSD intended for a Sewer Treatment facility was found formed illegally. Plaintiff's have been repaid their Special Assessments paid in 2018/2019. The Board is in discussions with Sarah to figure out a way to repay others in the SSD and still be able to make the General Obligation Bond payments through 2028.

Sarah informed the Board and those attending that there is no legal way to bill only those in the SSD or to Special Assess the Township as a whole. The only way is to levy the Township. Sarah will work with the Board to offer suggestions for increasing the levy. Options to consider: Increasing to pay back the GOB over the 10 year term (2 years have already passed), Increase the levy to pay back the GOB sooner to avoid paying \$100,000 in interest or another possibility would be looking at refinancing and going to a 20 year Bond which would be affordable but also more interest.

Sarah mentioned, that after evaluating a property value of \$500,000 that as the Bond is currently written, this property tax liability would be 1% class rate increase or \$5000.00. The township will be working with the County to come up with accurate numbers for each parcel.

Questions about Errors of Omissions? Could someone else be liable for the illegal formation of the SSD? Facilitatory, Past Clerk, Past Board, Skip Wieser? This is an explorable option but probably not an affordable one.

Levy limit increases? There are NO Township levy restriction on how much can be raised annually.

Letter from Sheila stating that those outside of the SSD would not be held financially liable? This letter did not come from the Board therefore there the letter has no authority to state such.

Should the increase be by referendum? No, because residents vote for approval of the Township Levy every March annual meeting, they are in essence, voting by referendum.

Question regarding residents having compliant systems? Sarah informed the Board and those attending that residents with non-compliant systems will be required to comply. This will come from MPCA/Winona County. The Board is

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currently requesting information from area septic professionals to assist with residents. Dakota Mayor attended the meeting and explained that residents in Dakota applied and qualified for different grants and low interest loans to help them with compliancy. All Dakota systems are in compliance with the State/County requirements.

Old Mill Rd: The Board allowed several residents to address their concerns with the widening of Old Mill Rd. Discussion about contacting the Railroad to see about opening the gate temporarily or an easement to widen the road and fix culvert if needed. The road still remains to be a safety concern. Looking to widen the road to the West about 4.5' Residents on Old Mill Rd signed a letter of petition and gave a copy to the Board for review. Comment from visitor that was on the Fire Dept says that road has always been an issue of concern getting fire trucks and emergency vehicles through.

Sarah wrapped up the meeting by asking the Board if they had changed their mind about widening the road after hearing comments from residents. **Brant made a motion to involve the Township Attorney moving forward with possible surveying Old Mill, Railroad and State of MN permissions/easements, Nick 2nd, vote 3-0 approved**

Dave made a motion to adjourn at 6:15pm

Respectfully submitted,
Kim Low 8/22/19

Approved by:

Chairman

Witnessed:

Clerk

Date:

Notary: