**Approved**

**October 15, 2024**

**Rockford Township**

**Regular Meeting Minutes 7:00 p.m.**

**Call to Order**

Chairperson Otten called the meeting to order at 7:00 p.m. at the Rockford Township Hall. Present were Supervisor Dale Otten, Joel Kjome, Dennis Beise, Troy Beise, Nancy Norsby, Clerk/Treasurer Rachelle McDougall, and Maintenance Crew Matthew Miller.

**Agenda**

A **motion** was made by Supervisor Kjome and seconded by Supervisor Troy Beise to approve the agenda as printed. **Motion carried unanimously**.

**Meeting Minutes**

A **motion** was made by Supervisor Dennis Beise and seconded by Supervisor Troy Beise to approve the regular meeting minutes from October 1, 2024, with the revision. **Motion carried unanimously.**

**October 1, 2024, Meeting Minutes – Revision**

Supervisor Norsby ~~gave her opinion that she believed~~ **stated** overtime needed preapproval as discussed at a prior meeting.

**Continued Items** – None

**Maintenance**

Maintenance Crew Miller commented about making the partial payment for the Eastwood, 30th St. and Deadrick Ave. SE paving project in regard to the grant. The grant was applied for through Wright County. Clerk McDougall informed the board she is in communication with Wright County about receiving the grant funds of $91,118 for the paving project on 30th St. SE, Deadrick Ave. SE and Eastwood Ave. SE. McDougall stated the county confirmed the township will receive the funds with a partial payment made prior to November 1, 2024, since the contractor had delayed the project. McDougall stated she will submit the proof of a partial payment if it is approved at this meeting. McDougall asked if she could have approval to make the final payment to Knife River if the project is completed by November 1st, 2024. The Board discussed having the Clerk and a deputy make the final payment for the paving project on 30th St. SE, Deadrick Ave. SE, and Eastwood Ave. SE. Supervisor Otten made a **motion** and seconded by Supervisor Norsby to have Clerk McDougall make the final payment. Resident Larry Otto interrupted the motion and disagreed with the way the motion was stated. Otto stated they were giving Clerk McDougall authority to pay it now and the final payment can only be made upon completion of the project. A **motion** was made by Supervisor Otten and seconded by Supervisor Norsby to give approval for Clerk McDougall including her Deputy to process and make the final payment for the paving project on 30th St. SE, Deadrick Ave. SE, and Eastwood Ave. SE. only if the project has been completed. **Motion carried by a unanimous vote.**

**Public Comments**

**Larry Otto - 3705 Dague Ave. SE**

Larry Otto spoke about concerns of extortion by the town board and was giving the board advance notice that he would be on the next regular meeting agenda on November 7, 2024.

Otto mentioned items that were brought to his attention after reviewing previous meeting minutes. Otto stated he would be addressing pay equity points, ADA compliant restrooms, purchases without board approval by board motion, board members not following protocol the Board set in place for board members when contacting attorney without board approval in order to keep the budget down, 5th St. SE emergency repairs and other issues that may be discussed as additional previous meeting minutes are being reviewed.

Resident Otto provided documents to each board member and the clerk about what he was referring to tonight under Public Comment. The documents included the definition of the word “Extortion”. The approved meeting minutes from June 20, 2023, were also provided. ~~Otto stated~~ **One** item of concern Otto stated that needed to be addressed immediately prior to the next regular meeting in regard to what he discovered from the June 20, 2023, approved meeting minutes.

Resident Otto stated as a resident of the township, it is his opinion that this is a blatant example of extortion by a part-time employee and a sitting board member that may include all board members. Otto stated all board members voted in favor of the extortion demand at their October 17, 2024, regular meeting. Otto stated he was referring to the June 20, 2023, meeting minutes under Item of Supervisor Joel Kjome: shown in bold - **Supervisor Kjome informed the Board the Township may be in trouble since he received a call from employee, Greg Hafften. Hafften informed Supervisor Kjome he is no longer going to do the job, and he is quitting if he does not get his wage back that he left here with $30 per hour. Note for the record - The actual rate of pay was $29 per hour.**

Otto stated he believes it is in the best interest of the township that the board take the lead and immediately have the authorities investigate this. At the end of his presentation Otto recommended the town board make three motions.

1. A motion to immediately without delay, notify local state and possible federal authorities. Otto stated there is a sitting board member that is implicated, and to have the investigation start.
2. A motion to demand Supervisor Kjome immediately, without condition, resign.
3. A motion to remove part-time employee Greg Hafften from the township employment until an investigation is complete, and permanently terminated if the accusations are confirmed.

Otto informed the board if they do not make and pass motion number 1, he as a resident of the township will personally ask for this investigation because of the seriousness of it. Otto stated this accusation of extortion is a felony and it is a concern. Otto commented that he questions whether the township attorney or insurance policy would be able to represent the township board or if it would be covered under the insurance policy since it is a felony.

**New Items**

**Planning Commission Recommendations from October 15, 2024**

A **motion** was made by Supervisor Troy Beise and seconded by Supervisor Norsby to approve the October 15, 2024, Planning Commission recommendations. **Motion carried unanimously.**

**City Administrator for Rockford to discuss Fire Truck Contribution**

City of Rockford administrator Anna Carlson was present along with City staff, council and the Fire Chief to answer any questions the town board had regarding the proposed request for contributions for an estimated cost of $280,000. The proposed equipment is an arial truck and a refurbish pumper truck. The request for contributions was previously denied at the October 1, 2024, regular meeting by the Rockford Township Board for an approximately $400,000. Anna mentioned providing the new information to Supervisor Dennis Beise and Otten which shows the price lower since the pumper truck will be refurbished instead of purchasing new.

Rockford Township is serviced by four fire departments, which include the City of Buffalo, City of Delano, City of Hanover and City of Rockford. The yearly budget is $200,000 which covers all fire departments. The city is requesting a contribution from the township towards equipment.

Supervisor Otten stated this had been talked about in previous years by the previous board members and has been an ongoing discussions.

Supervisor Norsby did not have any questions about the cost but if the township could absorb the cost mid budget.

Anna Carlson spoke about a bond for the fire station and historically township  had paid the operating budget and services and the year after and also paid the payment towards the City of Rockfords bond.  That was the current year, so the township had done that and per contract you can still do it how it has been done before.  The first payment from the township would be in 2026.

Resident Otto questioned the City Administrator about the money spent in previous years according to the township’s records and how the Fire Department manages their funds.

Rockford Township would be responsible for 12.8% of $276,508.  Anna stated until the bond is complete, these may not be the exact numbers. Resident Otto asked for clarification about payments to the City of Rockford for fire services.  Otto asked if the invoice showed any bond payments and Clerk McDougall was unsure.  Otto stated the City Administrator just stated that we had been making a bond payment. In 2012 the township gave the City of Rockford an additional $36,000 over and above the yearly amount and somewhere in the payments the township had been making bond payments.  City Administrator Anna clarified the city makes the bond payment and they budget in the beginning of the year, and they have debt levies. Anna noted when they budget it is just a payment on the way it is divided out based on the services.  Resident Otto questioned the difference on the township spreadsheet that shows the history of fire services fees, and it is different than the document provided by Anna. Resident Otto mentioned the history of payments which shows the township paid $42,279.00 in 2023. However, the document provided for tonight’s meeting shows the township paid $43,520. Otto noted there is a discrepancy.

Resident Otto questioned why the Township would want to pay over $200,000 for the aerial truck when we do not have any buildings in the township that would requires it.  The City of Rockford Fire Department staff commented that $1 million had been paid for a tanker truck which was not paid for by the township. Comments continued by the Fire Department staff, that the city does not use the tanker truck for the City of Rockford residents but only used for the City of Greenfield and Rockford Township residents.  Resident Otto asked them to clarify that Rockford Township did not pay for any portion of the tanker truck.  The City of Rockford staff did state the township did pay a percentage for the tanker truck which the City of Rockford never uses.

Supervisor Norsby commented she is in favor because they cover part of the township. Norsby stated she is concerned and not in favor of spending the money but would like to make sure the township can absorb the extra cost.

Supervisor Norsby and Kjome mentioned the township current expenses, which include a paving project and a culvert replacement project.  Norsby would like to contribute but is concerned about the other projects the township has going on.

Supervisor Otten commented that the township paid the Buffalo Fire Department $80,000 which had under 200 calls in one year. The Buffalo Fire Department services a larger portion of the township and the township pays them almost double that of Rockford. Rockford Township paid the City of Rockford Fire Department approximately $42,000 for one year and there were 460 calls.

Supervisor Kjome stated the Township does not have the money when you look at the funds report.  Kjome mentioned with the projects being completed currently it would put the Township under a million for operating expenses.

Supervisor Norsby stated other factors the board needs to consider are equipment replacement for a grader, a dump truck, and maybe needing a pickup truck.  Norsby is concerned with the financial stability for the township.

The City of Rockford fire department staff stated the first payment would not be until 2026.

Supervisor Norsby stated that the board wants to say yes but should not be voting yes, prior to the residents approving the budget.

The Rockford Fire Department staff stated the purchase of this equipment is to help everyone stay safe and to help the township residents and without the purchase of this equipment, the township could end up with no service from the Rockford fire department. They continued saying the township would either have to find service from someone else or go without.

Supervisor Dennis stated the funds are not in the budget and it should not be approved until it is in the budget. Dennis stated the residents need to discuss this at their annual meeting.  Rockford fire department stated they are paying for repairs on the equipment monthly.

Supervisor Troy Beise stated he was in support for the safety of others, and mentioned the proposed numbers were better than the previous numbers presented.

Resident Otto stated since they were discussing budget items, since 1990 the Americans Disability Act was put into place and that all buildings, such as the Townhall had to have handicap accessibility restrooms.  Supervisor Norsby interrupted and said they were not discussing that, but they were discussing fire equipment.  Otto disagreed with Norsby because she was previously talking about replacing equipment earlier during the discussion and those are budget items.  Supervisor Norsby stated they are already working on that, and it is part of something that they are working on now.

Otto asked the board and commented that the ADA compliant restroom addition would be over a half million dollars and asked if the board ever discussed that with residents since they would be taxed for that also. Supervisor Norsby informed Otto again the board was not talking about that now. Resident Otto stated Norsby had just talked about the budget and equipment which may need to purchased. Otto stated the restroom addition is a requirement for the township to become ADA compliant.

Resident Otto stated the board will not bring up over a half million to build the ADA restrooms until another complaint is received and then the township would be forced to spend that money while the board is entertaining spending over $200,000 for the Rockford Fire Department on equipment.

Clerk McDougall spoke as a resident of Rockford Township and also in the area that the Rockford Fire Department services. McDougall expressed her thanks regarding a previous call she made when her grandson was choking and needing assistance. The Rockford Fire Department was very responsive and quick to arrive. McDougall stated it is not about wanting to provide financial support however, the town board does not set or approve the tax levy. McDougall stated at the March Annual Township Meeting, the residents decide if they will approve, adjust, or deny the tax levy being proposed by the town board and the town board decides how the levy is spent.

McDougall recommended the Rockford Fire Department reach out to the residents of Rockford Township and find out if they can gather support for an increase in fire funds. The board agreed that it could be talked about during the Annual Township Meeting if the residents chose to do so. The board suggested listing the amount being requested could be on a separate line for proposed fire funds. The annual amount that has been consistent for over a decade is $200,000 which covers four fire departments.

Supervisor Kjome stated the township does not have the money and it is up to the residents. The residents decide the tax levy at their Annual Meeting. Supervisor Otten would like to review the other fire departments and how they calculate in the new equipment. Supervisor Troy Beise noted this item was brought up more recently in August and the board will have to prepare a proposed budget for the annual meeting in 2025. The residents need to be informed at their March 2025 meeting and if they would be in support of the extra funds for equipment purchase. The City of Rockford may send a letter or flyer to all residents to inform them of the request for funds. The letter could also be posted on the website.

The board may discuss this at a future meeting.

**Supervisors**

**Supervisor Joel Kjome**

Supervisor Kjome made a statement for the record that as far as being accused of extortion. Kjome stated he was relaying a message told to him. The board at the time wasn’t sure if they could do the pay increase without talking to the attorney. Kjome stated the attorney told the board that they can pay what they want and to whom they want. Kjome stated it was a unanimous decision for part-time help because the township did not have any part-time maintenance.

**Supervisor Nancy Norsby** – None

**Supervisor Troy Beise**

Supervisor Troy Beise informed the board he received an email response from Attorney Susan Tindal about the couple of complaints the township gave her. Troy stated Susan did not want to handle the complaints that were submitted and Susan could not help because of something **else** going on. Susan recommended two different companies that could better handle the complaints**.**  ~~and what is going on.~~ One is from Maple Lake, and Clerk McDougall asked what type of company or business he was referring to. Troy stated they are Attorneys. One was Janna O’Leary Sullivan from Kennedy and Graven from Minneapolis $250 per hour and attorney’s Quinlivan & Hughes from Maple Lake $255 per hour.

Supervisor Otten asked if the board wanted to make a decision to use one of those attorneys or look at more options. In Ottens’ opinion it would be better to use the attorney from Maple Lake.

Supervisor Kjome stated he did not know what the board was talking about. Clerk McDougall stated her 8 complaints and accommodations that she submitted in August. Kjome stated he did not see any complaints or what the Clerk was complaining about because of the shit show here. Supervisor Troy Beise reminded Kjome of the discussion at a previous meeting regarding the attorney reviewing the complaints submitted. Supervisor Kjome questioned if he was able to see what Troy was talking about. Supervisor Otten stated no one saw the complaints except for Troy and Susan Tindal. Supervisor Norsby stated she would abstain since she did not know what they were about to vote for. Clerk McDougall stated that is unreal and how the board treats her complaints.

Clerk McDougall interrupted and stated she submitted eight complaints which include disability accommodations. McDougall stated the complaints were submitted to Supervisor Troy Beise on August 7, 2024. Clerk McDougall stated that she has always followed the process set by the board and when she submitted her eight complaints over two months previously, she followed the township’s complaint policy, rules and submitted it correctly. Clerk McDougall stated this was disgusting and unfair by the board when the board does not know or understand what she has to go through for her disability and completing her duties. McDougall stated the board continues to ignore it but told the board to move forward and do what you’re going to do.

Supervisor Troy stated Susan gave them the direction **to go** for the complaints and now the board needs to decide.

Resident Larry Otto asked if the township has been legally served as it pertains to this, which Clerk McDougall said yes. Otto questioned if the township had taken any action and Supervisor Norsby told Supervisor Kjome to stop talking. Clerk McDougall stated this was about her eight complaints she submitted in the beginning of August 2024. These complaints were not the original complaint she filed with the Minnesota Department of Human Rights at the end of 2023. The Minnesota Department of Human Rights sent a certified letter which the Township Supervisors each received a copy in January 2024. Clerk McDougall stated a second certified letter is expected to be received regarding her rebuttal to the town board’s position statement. The eight complaints submitted in August are additional complaints which include her request for her disability accommodation.

Supervisor Troy read the statements from each attorney so the board could decide which attorney they could approve or deny. Supervisor Norsby stated she did not understand in the beginning of the conversation what this was about or what the board would be voting on. Troy stated the ~~emails~~ **email recommendations** were from Susan that gave the board two options for an investigator for the complaints. Troy stated Susan Tindal will not work with it because of something ongoing. Troy stated Susan said the board can do nothing or **in his words** still be backwards in **getting** any type of resolution.

Supervisor Otten recommended choosing one of the attorneys and recommended the attorney from Maple Lake. A **motion** was made by Supervisor Troy Beise and seconded by Supervisor Otten to hire Quinlivan & Hughes, P.A. to work through our employee complaints. **Motion carried unanimously.**

**Supervisor Dennis Beise** – Supervisor Dennis Beise questioned if the roof leak had been fixed.

**Supervisor Dale Otten** – Supervisor Otten recommended Teen Challenge attend a meeting in November.

**Clerk/Treasurer** – None

**Funds Report** – Through August 31, 2024

A **motion** was made by Supervisor Norsby and seconded by Supervisor Dennis Beise for the funds report through August 31st, 2024. **Motion carried unanimously.**

**Review of Claims**

A **motion** was made by Supervisor Norsby and seconded by Supervisor Troy Beise to approve the claims #5401 to claim #5417 for $467,618.48 including payroll. **Motion carried unanimously.**

**Adjournment**

Supervisor Otten adjourned the meeting at 9:10 p.m.

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Dale Otten (Chairperson)

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Rachelle McDougall (Clerk/Treasurer)