

**MINUTES
TOWN BOARD MEETING
APRIL 6, 2020**

The meeting was called to order at 8:00 a.m.

Present: Supervisors: Prudhon, Ruzek, McCune; Clerk/Treasurer: Christopherson;
Attorney: Lemmons; Public Works Director: Reed; Town Finance Officer:
Kelly; Town Planner: Riedesel

The meeting was held at the Town Office Conference Room, present there were the Town Finance Officer, Town Attorney, Town Clerk, Town Planner and the Public Works Director. Town Board Chair Prudhon, Supervisors McCune and Ruzek were present via telephone conference. The motions, seconds, and votes were stated by roll call as directed. Chair Prudhon could not be present via telephone for part of the meeting, and Supervisor McCune had to depart a few minutes prior to the end of the meeting. Any motions they were not present for are marked with abstentions. Supervisor Ruzek acted as Chair for this meeting.

APPROVAL OF AGENDA (Additions/Deletions): McCune moved to approve the agenda as submitted with the added agenda item of 8D.1) Bald Eagle Yacht Club request for Buoys on Bald Eagle Lake. Ruzek seconded. Ayes: McCune, Ruzek; Abstention: Prudhon.

APPROVAL OF PAYMENT OF BILLS: McCune moved to approve payment of bills, according to how the resolution states in agenda item 6A.5) Adopt Resolution Revising Check Signing Designation. Ruzek seconded. Ayes: McCune, Ruzek; Abstention: Prudhon.

APPROVAL OF MINUTES OF MARCH 16, 2020 AND MARCH 25, 2020 (Additions/Deletions): McCune moved to approve the minutes of March 16, 2020. Ruzek seconded. Ayes: McCune, Ruzek; Abstention: Prudhon.

McCune moved to approve the minutes of March 25, 2020. Ruzek seconded. Ayes: McCune, Ruzek; Abstention: Prudhon.

CONSENT AGENDA: McCune moved to approve the consent agenda as follows: 5A) Gardening Proposal – Approve proposal #1 & #2 for gardening services by Bonita Byers, Horticulturalist; 5B) Bruce Vento Trail – Approve letter of support; 5C) ICWC

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Contract – Approve 2 year contract; 5D) Dear Hunt – Approve Ramsey County’s Cooperative Deer Management Implementation Program for 2020; 5E) Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including his recommended conditions, approve the XcelEnergy permit to relocate a wood power pole at 2630 South Shore Boulevard in regards to the proposed street project; 5F) Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including his recommended conditions, approve XcelEnergy permit to install a new electrical service to a newly constructed house location at 1544 Hammond Road; 5G) Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including his recommended conditions, approve XcelEnergy permit to replace seven wood power poles with the same type of wood pole to service the residential area of East Street due to condition and age; 5H) Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including his recommended conditions, approve XcelEnergy permit to replace overhead electrical power lines at 1544, 1555 & 1563 Hammond Road; 5I) Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including his recommended conditions, approve XcelEnergy permit to replace seven wood power poles with the same type of wood pole to service the residential area of Overlake Road, Park Easements & Hugo Road due to condition and age; 5J) Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including his recommended conditions, approve XcelEnergy permit to replace a wood pole with a new wood pole to an existing line due to condition & age in the area of 2471 Taylor Avenue, permit includes five other poles along Hugo Road & in backyards will also be replaced; 5K) Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including his recommended conditions, approve XcelEnergy permit to replace a wood pole with the same type of wood pole to an existing line due to condition on Silver Fox Road & another pole in a backyard will also be replaced; 5L) Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including his recommended conditions, approve XcelEnergy permit to replace three wood poles with the same type of wood poles due to condition & age on Ridgewood Avenue & Williams Avenue & seven other poles along Hugo Road & in backyards will also be replaced; 5M) Right-of-Way Permit – Based on Town Engineer Review & Recommendation & Including his recommended conditions, approve XcelEnergy permit to replace five wood poles with the same type of new wood poles to an existing line due to condition & age in the Park Avenue & East County Line & two other poles in backyards will also be replaced. Ruzek seconded. Ayes: McCune, Ruzek; Abstention: Prudhon.

EMERGENCY MANAGEMENT TEAM REPORT:

1. Ramsey County COVID-19 Incident Management: The Town Clerk reported that nothing new has come out of Ramsey County since the last meeting on March 25th. All Ramsey County staff is working remotely through December unless a vaccine is created. Some workers are furloughed.

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2. Contract Group Update: Everyone is holding this pattern until the middle of May with skeleton crews. So far there have been very few layoffs within the contract groups. Roseville extended staff working remotely until the end of May, but most communities, like the Township, are taking this week by week until the end of May 4th, the end of the emergency declaration by Governor Tim Walz. Burnsville actually closed until June 30th. There was a question of Ramsey County cutting back in regards to services that the Township needs. It was noted that Ramsey County had been attaining all requirements that the Township needs as of now. There was some discussion on play grounds and whether the Township could close parks or should close parks. It was discussed and parks are excluded from the Governor's mandate because it is not effective to close a park. The Township, like other municipalities, is relying on the parents' prudence. There was some discussion of putting some signage up, it was not clear as to whether that is necessary or not. The Town Attorney noted that legally the Township has no liability to close parks. Government cannot control parks in regards to this pandemic.

The Town Clerk reported that Ramsey County Sheriff's Department has put together a "Help Unit", an on call group of deputies that help senior citizens, sick, and others who can't get out. It was instituted on Friday the 3rd or Monday the 5th of April. Ramsey County Sheriff's Department is also bracing for the next 2 weeks to come. Currently crime has been way down, got the 3 to 4 weeks of not working could cause a panic among citizens.

3. Attorney Update: The Town Attorney noted that there is no direction from the Minnesota League of Cities or Minnesota League of Townships.

4. Operations Logistics/Administrative Offices/Public Works – Revise Declaration of Emergency: With no pressing deadlines, Town staff would like to postpone all commissions and committees until May. The Town Attorney provided a notice that reads: *"On March 16,2020 the Town Board of White Bear, pursuant to the provisions of Minn. Stat. 12.29 Subd. 1, did adopt a resolution declaring that a local emergency existed due to the health pandemic created by the Coronavirus.*

"Ed M. Prudhon, Chair of the Town Board, has determined that due to the ongoing health pandemic in person meetings of the Town Board and Commissions are not practical or prudent. That due to this decision all meetings of the Board and Commissions shall be conducted pursuant to the provisions of Minn. Stat. 13D.021. Under the provisions of this statute no members of the public shall be allowed to attend any meeting. Any member of the public has the right under statue to monitor any meeting electronically. Anyone desiring to monitor a meeting should consult the Town website for directions as how to monitor meetings."

The Town Clerk reported that there has been no shortage of building permits being requested. Construction is considered an essential service. Christopherson explained that he suggest keeping the Township Offices closed to in person and public through Friday, May 1st, and suggests staggered staff throughout the day, having a morning shift and an afternoon shift. He also suggested implementing an extra 80 hours of flex time

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for sick leave. The Town Attorney added that he will prepare a letter 1599 that includes building permits, electing an extension of 60 days, so staff doesn't have to review or approve for 120 days.

There was a question of Public Works staff keeping distance in break room, it was noted that the Public Works Director is using discretion to stagger staff so they can keep their distance. Ruzek moved to recommend to proceed as discussed until May 4th, McCune seconded. Ayes: Ruzek, McCune; Abstention: Prudhon.

It was noted that the next Town Board meeting of April 20th will be at 8 a.m. at the Town Offices, and will resume the evening meetings in May. It was noted that FEMA is giving out reimbursements for time and money regarding the Coronavirus, so staff is to document any use of time and money when it comes to staff and the Coronavirus, and at a later date can potentially apply for some aid.

McCune moved to adjust the April 20th Board meeting to 8 a.m. at the Administrative Offices. Ruzek seconded. Ayes: McCune, Ruzek; Abstention: Prudhon.

5. Adopt Resolution Revising Check Signing Designation: Commissioner Ruzek and the Town Clerk had a meeting with the Minnesota Association with Townships on the subject of revising the check signing designation. The Town Attorney is comfortable with it as it will save time and reduce health impact. The Town Clerk walked the Board through how this will be done. The Town Clerk will sign all the checks, and all the checks signed will be on the register that will need to be approved at the next meeting. The Town Finance Officer is comfortable with it.

Ruzek moved based on Town Attorney & staff review & recommendation adopt the resolution revising check signing designation during the current civil emergency, which will be re-evaluated if and when the Governor's orders change. McCune seconded. Ayes all.

8:30 A.M. HOCKEY DAY MINNESOTA – TELEPHONE OVERVIEW: Corey Roberts from Hockey Day MN gave a history on himself. He owns a retail boutique called "The Minnesota" in downtown White Bear Lake. He wanted to get more involved in the community. He is into hockey and inquired at Fox Sports North and the Minnesota Wild of how to help with the annual event: Hockey Day MN. With the event being held the third weekend in January, the biggest challenge of the event is the size, but Roberts had walked around staff at Polar Lakes Park recently. FSN and Wild are most interested in Polar Lakes for the location over some other locations Roberts looked at like the Benson Airport and country clubs.

There was discussion of the logistics: the upper lot under the lights would be where the rinks would be built. The bleachers and space need to be able to fit between 5,000 and 10,000. The event annually holds a type of winter carnival atmosphere with vendors, food trucks, and live bands. It's like a miniature super bowl for the community. It is a big

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production, with need of between \$500,000 and \$600,000. Roberts noted that Stillwater, St. Cloud, and Bemidji have hosted Hockey Day MN before. Some years the events break even, lose or raise money. Within the last couple years the events had a surplus of \$100,000, which was given to the Minnesota Hockey Association.

Hockey Day MN 2021 is in Mankato, and Roberts, along with FSN and the Wild hope that White Bear Township could be the location of Hockey Day MN 2022 or 2023. There was logistical discussion of how the rinks are built and the damage it would do to the soccer fields at Polar Lakes Park. One of the biggest challenges would be parking for 5,000 to 6,000 cars, there would have to be a shuttle.

The consensus is that it would really put White Bear Township on the map, and have a big community impact. There was discussion on how to proceed and Township staff will be in touch with Roberts and look forward to more information on the event logistically, along with what the previous host communities' thoughts are of the celebration.

CLEAR CHANNEL BILLBOARD LEASE AGREEMENTS: The Town Planner informed the Board that he had done as requested and reached out to other billboard marketing companies inquiring of the fairness of Clear Channel's bid. He got a hold of Outlook, which markets through the billboards in Vadnais Heights. It was determined that with COVID-19, all operations are on hold.

The Town Clerk reported that at his former employer, his boss was in charge of marketing and had bought a lot of billboard space. He reached out to him, and it was stated that this price is fair and in the ballpark of what other companies would pay. This answered the question that the Town Board needed to have answered.

Prudhon moved based on staff review & recommendation to approve the 20-year lease agreement with Clear Channel outdoor, LLC as outlined in the attached leases. McCune seconded. Ayes all.

SMC, 5800 & 5858 CENTERVILLE ROAD – CONTINUE CONTINUATION OF HEARING – WETLAND PERMIT TO ALLOW FILLING & MITIGATION: Prudhon moved to note proper publication of the hearing notice in the newspaper & waive reading of the notice. McCune seconded. Ayes all.

Prudhon moved to open continuation of public hearing. McCune seconded. Ayes all.

The Town Planner informed the Board that this agenda item was first reviewed in October.

The public hearing was continued out of principle, due to the wetlands that SMC were planned to create have not taken root. Currently, not enough time has passed of the warmer season to determine if what SMC has done will stay. The protocol is to continue

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this public hearing for another 6 months. It was noted that the Board should keep public comment portion open until the continuation is complete.

McCune moved to keep public comment portion open until final hearing in 6 months. Prudhon seconded. Ayes all.

Prudhon moved to continue public hearing until the second meeting in October 2020 at 7 p.m. at Heritage Hall. McCune seconded. Ayes all.

RUSH LINE CORRIDOR – ADOPT RESOLUTION OF SUPPORT: The Town Planner reported that the Rush Line is at 15% competition plan. The bus will route from Saint Paul to White Bear, and it was noted that White Bear is the only suburb that does not have metro transportation. The team for future development is looking for support to continue planning. The Rush Line Corridor has very little impact on the Township; in fact it only goes through a railway corridor between 694 and Berkeley Road.

There was some discussion of this railway corridor and if the Township has ownership of it. The Town Attorney noted that an administrative agency within the federal government have control over railway corridors. With this knowledge in mind, knowing the Township doesn't have the authority to dismiss the Rush Line plans, the Board does not feel comfortable authorizing a resolution of support. It was noted that this statement would be more of a political statement rather than a legal statement. It was the consensus that the Town Board would like to discuss this matter further.

McCune moved to table this conversation until a future meeting. Prudhon seconded. Ayes all.

POLAR LAKES PARK RESTROOM RFB – APPROVE: The Town Planner reported that the Board had requested staff put together a request for bid (RFB) to send out. The requirements are in the packet; and there is a list. Other than that, there were no specifications on materials, price, designs, etc. If this RFB was sent out, the bids could be all over, not necessarily an accurate representation of the actual cost or what the Town actually needs. It was noted that the Park Board wanted to go the cheaper route. The Board wants an accurate representation of what is needed, and should have an architect with greater insight.

There was no motion to approve the RFB. Motion failed.

Prudhon motioned to recommend tabling this agenda item for extra work. McCune seconded. Ayes all.

SMC, 5800/5858 CENTERVILLE ROAD – APPROVE OPERATION & MAINTENANCE AGREEMENT FOR STORMWATER FACILITIES: The Town Planner reported that this is a follow-up request for the SMC project that has been continued prior to the completion of the wetland mitigation. SMC needs easements over the stormwater plans.

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It is something that hasn't been approved yet in the project. The Board noted that it is pretty straight forward and they feel comfortable approving it.

Prudhon moved based on staff review & recommendation to approve the operation & maintenance agreement for stormwater facilities at SMC, 5800/5858 Centerville Road. McCune seconded. Ayes all.

8D.1) BALD EAGLE YACHT CLUB – APPROVE REQUEST FOR BUOYS ON BALD

EAGLE LAKE: The Town Planner reported that this is an annual request by the Bald Eagle Yacht Club for buoys on Bald Eagle Lake for sailing. The request has been reviewed by the DNR annually. It was noted that the Bald Eagle Yacht Club submitted their certificate of insurance. The time frame noted for the buoys on the lake are from May through October 2020, however, the request noted that a delay due to COVID-19 is fine.

McCune motioned based on staff review & recommendation to approve the 2020 Bald Eagle buoy placement. Prudhon seconded. Ayes all.

2020 CRACK SEALING PROJECT – 1. RECEIVE QUOTES – 2. AWARD QUOTE:

The Public Works Director reported that the Town has \$150,000 in the budget for crack sealing. He wants to leave funds over for patching and future needs, but has received quotes, the lowest of which is for \$20,000. The Town Attorney is comfortable to the terms and conditions. SealTech, Inc. has done crack sealing work for the Township before.

Prudhon moved based on staff review & recommendation to receive the quotes from SealTech, Inc. & Fahrner Asphalt Sealers. McCune seconded. Ayes all.

Prudhon moved based on staff review & recommendation to approve the quote to SealTech, Inc., in an amount not to exceed \$20,000 with funding from the 5050 Improvement Fund. McCune seconded. Ayes all.

HYDRANT PAINTING – 1. RECEIVE QUOTES – 2. AWARD QUOTE:

The Public Works Director reported that the Town started the process of painting hydrants last year. In 2019, 300 hydrants were painted, in 2020, 300 hydrants are planned to be painted, which will leave around 40 for 2022. Staff received 2 quotes, the one from B & B Commercial Coating LLC had done the painting last year, and for the exact amount as bid this year. There was some discussion of the placement of the hydrants in the GIS system.

McCune moved based on staff review & recommendation to receive quotes form B & B Commercial Coating LLC & Ferguson Waterworks. Prudhon seconded. Ayes all.

McCune moved based on staff review & recommendation to approve the quote from B & B Commercial Coating, LLC for the repainting of 300 hydrants in the amount of \$28,500.00 with funding from the Water Operating Fund. Prudhon seconded. Ayes all.

MEMORANDUM OF AGREEMENT REGARDING TREATMENT FOR INVASIVE PLANTS – APPROVE: The Public Works Director reported that Ramsey County sent over a memorandum of agreement regarding treatment for invasive plants. The names of the invasive plants and the locations in the Township are listed in the packet. Ramsey County sent over an agreement which shows private property, but the invasive plants this time are in public property. There was discussion of the terms and conditions. The Town Attorney noted that the Board should strike number 12, the indemnification clause, as the Township has no control over choosing of chemicals, etc. Other than that, staff may proceed.

McCune moved based on staff review & recommendation to approve the memorandum of agreement regarding treatment for invasive plants with striking out of item 12 under terms and conditions. Prudhon seconded. Ayes all.

EAST BALD EAGLE BOULEVARD WATERMAIN REPLACEMENT – 1. RECEIVE QUOTE – 2. REJECT QUOTE & DELAY PROJECT AT THIS TIME: The Public Works Director reported on behalf of the Town Engineer on this agenda item. Staff has received one quote for the watermain replacement on East Bald Eagle Boulevard. The Engineer's estimate is \$49,925.00 and the quote from Pember Companies came in at \$208,370.00. It is staff's recommendation to reject the quote and delay the project. Reed mentioned that staff can look at linings and other techniques to prolong replacement if needed down the road.

Prudhon moved based on Town Engineer and Public Works Director review & recommendation to receive the quote from Pember Companies. McCune seconded. Ayes all.

Prudhon moved based on Town Engineer and Public Works Director review & recommendation to reject quote from Pember Companies & delay the project at this time. McCune seconded. Ayes all.

BALD EAGLE LAKE OUTFALL IMPROVEMENTS – 1. RECEIVE QUOTES – 2. AWARD QUOTE: The Public Works Director reported on behalf of the Town Engineer on this agenda item. The Town Engineer also has his memo of information explaining that the Township has executed a \$35,000 cost-share grant with Rice Creek Watershed District for this process. This will also be in coordination with Ramsey County's street improvement projects for the 2020 season.

Of 12 contractors sent bid information, 2 bids came back: Pember Companies for \$68,000 and Penn Contracting for \$95,520. With RCWD's grant that will cover \$35,000, the Township will pay \$39,000 (noting engineering at an additional \$5,800).

There was discussion on what this will look like. It was noted that this project will not be similar to Summit Lane. There will be manhole covers on the work once finished.

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McCune moved based on Town Engineer and Public Works Director review & recommendation to receive quotes from Pember Companies & Penn Contracting. Prudhon seconded. Ayes all.

McCune moved based on Town Engineer and Public Works Director review & recommendation to award the Bald Eagle Lake Outfall Improvement Project to Pember Companies in the amount of \$68,000, with a completion date of June 15th; noting that the Township has executed a \$35,000 cost-share grant with RCWD; the total project cost was estimated at \$74,000 with engineering approved at \$5,800, with \$35,000 from RCWD leaving the Township's share at \$39,000. Prudhon seconded. Ayes all.

DEER MEADOW PARK DRAINAGE SWALE IMPROVEMENTS – 1. APPROVE THE DRAINAGE SWALE IMPROVEMENTS – 2. AUTHORIZE TKDA TO PREPARE PLANS & SPECIFICATIONS:

The Public Works Director reported on behalf of the Town Engineer on this agenda item. The Town Engineer also has his memo of information explaining that this project is in connection with the Stable Property development regarding the connection of trail between Deer Meadow Park and the property. The drainage swale will connect the storm sewer at Portland Avenue to the drainage pond, in addition to removing vegetation allowing water to flow property. TKDA will add the preparation of plans and specifications for an amount not to exceed \$3,750. Township staff have been working on this property for a while.

McCune moved based on Town Engineer and Public Works Director review & recommendation to approve the drainage swale improvements. Prudhon seconded. Ayes all.

McCune moved based on Town Engineer and Public Works Director review & recommendation to authorize TKDA to prepare plans & specifications of the drainage swale at Deer Meadow Park for a total amount not to exceed \$3,750, which includes a survey of the area. Prudhon seconded. Ayes all.

GIS & ASSET MANAGEMENT 2020 – AUTHORIZE STEP 4: The Public Works Director reported on behalf of the Town Engineer on this agenda item, explaining that TKDA is on step 4 laid out in the memo. This plan hasn't changed since the beginning, and TKDA is using intern engineering students to keep costs low. Step 4 includes this year's intern to do more field work, finishing stormwater and water mapping, verifying items unable to do on desktop mapping. This will be done for an amount not to exceed \$58,800. There was some discussion on costs and whether costs have stayed the same in the plan or whether they have changed. It was noted that the GIS system has shown value already and it is something the Township wants to have completed.

Prudhon moved based on Town Engineer and Public Works Director review & recommendation to authorize TKDA to proceed with step 4 for 2020 of GIS & Asset Management Implementation for a not to exceed amount of \$58,800. McCune seconded. Ayes all.

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REPUBLIC SERVICES COVID-19 NEWS RELEASE – RECEIVE: The Town Clerk reported that he had a meeting with Bev Mathiasen from Republic Services on Tuesday, March 31st about Republic's approach regarding COVID-19. Included in Republic's approach to help mitigate the spread, limiting pick-ups is among some of the concern. The Township, like other communities, have residents who are on an unlimited recycling plan, and limiting those plans seems like a breach of contract. Of course, emergency situations are in the contract, but there was discussion among the Board whether or not to request some sort of compensation, or at least looking into it further. This change is noted on the Town's website. There was some discussion of perhaps Republic could provide a bigger dumpster where residents on the unlimited plan could drop their things off, and over time any germs would die out before Republic would come and pick it up. This would be to ensure residents don't take other matters to rid themselves of their materials in ways harmful to the planet or others. Staff will look into this more.

FINANCE DEPARTMENT PROCEDURES – ADOPT NEW PROCEDURES DURING COVID-19: The Town Clerk reported that the finance department has drafted a new list of procedures and protocol of how to operate while in the midst of this pandemic. The Town Finance Officer reported that the goal is to eliminate the large number of people involved in the process. If invoices, bids, contracts, etc. are emailed to staff, it can be printed and now has only had one pair of hands touching it, rather than countless others. Staff will have mail sit in bins for every day of the week and then will open them in a few days to give any potential virus germs time to die off without a host. The Township is also offering the extension of the utility bill due date from 30 days to 60 days. Staff had requested information from surrounding communities on whether they are implementing similar changes as well, but there was no response due to being shut down.

There was discussion on technology and what would happen if something crashed. The Finance Officer explained that all of the Township's data is stored on servers in the city of Roseville's IT department. There are backup servers as well. Finally, staff is still printing invoices, bids, contracts, etc. so there will still be a paper copy; the goal is to just minimize the number of hands that touch the materials.

There was some discussion over the Town's cash flow, how the Town stands financially. As of now, it is business as normal, financially. It was noted that this is the precise reason why the Township has backup sources of funds: investments, savings, emergency funds. There was discussion on what would happen if property tax deadlines got pushed back 6 months, whether the Town would be able to run without this primary source of income. The Finance Officer explained that at that point the Town may need to sell off some investments and dip into reserves, but at this point the investments aren't making much money anyways.

McCune moved based on staff review & recommendation to adopt the new finance department procedures as outlined in the memos. Prudhon seconded. Ayes all.

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At this time McCune had to drop off the call.

ADDED AGENDA ITEMS: There was some discussion of whether or not the Stillwater property that was on schedule to have hearings for demolition is on hold. It was confirmed that it is on hold with everything going on with the pandemic, as the courts are shut down.

It was noted, that still nothing more has been completed on the house.

OPEN TIME: No one was present for open time.

RECEIPT OF AGENDA MATERIALS / SUPPLEMENTS: Prudhon motioned to receive all Agenda Materials & Supplements for tonight's meeting. Ruzek seconded. Ayes: Prudhon, Ruzek; Abstention: McCune.

Prudhon moved to adjourn the meeting at 10:34 a.m. Ruzek seconded. Ayes: Prudhon, Ruzek; Abstention: McCune.

Respectfully Submitted,

Patrick Christopherson
Recording Secretary

Approved as Official Meeting Minutes

Town Board Chair

Date