

**Solway Town Board Meeting Minutes
May 9, 2023**

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

The Solway Town Board Meeting was called to order at 6:30 p.m. by Vice-Chairperson Ron Gajewski, followed by the Pledge of Allegiance. Also present were Supervisor Scott Welsh, Clerk Tami McGregor, Treasurer Cindy Moe, Deputy Clerk Regena Merritt, and eight concerned citizens. Supervisor Clare Stromlund was not present at the meeting.

II. MINUTES – TOWN BOARD MEETING OF APRIL 11, 2023:

MOTION by Supervisor Welsh, seconded by Supervisor Gajewski, and carried unanimously to approve the minutes from the Town Board Meeting of April 11, 2023, as presented.

III. TREASURER’S REPORT: APRIL 30, 2023

Revision to ending check number from 19359 to 19403. After revision, **MOTION by Supervisor Welsh, seconded by Supervisor Gajewski, and carried unanimously to accept the Treasurer’s report dated April 30, 2023.**

Checking:19360-19403

Beginning Balance	\$275,507.21	
Receipts	11,233.42	
Disbursements	<u>-121,340.92</u>	
Ending Balance	\$165,399.71	\$165,399.71

Money Market

Beginning Balance	\$109,710.82	
Interest/Deposits	92.75	
Withdrawals	<u>0.00</u>	
Ending Balance	\$109,803.57	<u>\$109,803.57</u>

Total Accounts **\$275,203.28**

IV. CORRESPONDENCE

- 04/10 Arrowhead Youth Soccer – Certificate of Liability Insurance (Not in packet)
- 04/11 Vic Lund, St. Louis County PW - Hwy. #2 Town Hall Entrance – Email finalizing agreement between Solway, St. Louis County, and MnDOT at 4/11 board meeting. No board action necessary or taken.
- 04/12 Metropolitan Interstate Council (MIC) – Notice of 04/19/23 meeting at 6:00 PM, Room 270, Douglas County Courthouse, inc. meeting material. Supervisor Welsh was unable to connect on-line. There will be an

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orientation luncheon on 05/12 at 1:000 PM in Duluth and Supervisor Welsh will attend. Next regular meeting on June 20th in Superior, Douglas County Courthouse.

- 04/13 MN Association of Townships (MAT) – Spring Short Courses rescheduled for McGregor and Bemidji to April 25th and 26th.
- 04/14 Waste Management – Delivery notice for 3-yard dumpster to Town Hall (Includes locking mechanism)
- 04/14 John Foschi, CPA – Resume regarding aggregate tax auditing (Not in packet)
- 04/14 Sathers Construction & Excavating – 2023 First Quarter Aggregate Material Tax Reporting Form received (Not in packet)
- 04/17 Jon’s Mid America Fire Apparatus – Offer on 2002 International Fire Engine (Unit #6) for \$95,000 valid through 04/25 (Discussed under “Fire Department)
- 04/17 St. Louis County Public Health & Human Services News Release – County hosting town hall meetings for Medical Assistance recipients regarding renewal process on April 24th and 25th
- 04/17 MN Association of Townships Insurance Trust (MATIT) – Confirmation of addition of insurance coverage for 2005 Pierce Fire Truck and new proposal for renewal (Renewal proposal not in packet)
- 04/17 MN Association of Townships (MAT) - Legislative Update & Advocacy Alert regarding MN Omnibus Transportation Funding Bill on the floor. Supervisor Welsh previously responded via email.
- 04/18 Dale Swenson – Property at 6214 Rose Road – Request for Homestead Credit; resident referred to St. Louis County Assessor’s Office on 04/25
- 04/18 KTM Paving – 2023 First Quarter Aggregate Material Tax Reporting Form received (Not in packet)
- 04/18 Jim Lindquist – 2023 First Quarter Aggregate Material Tax Reporting Form received (Not in packet)
- 04/18 Northland Constructors – 2023 First Quarter Aggregate Material Tax Reporting Form received (Not in packet)
- 04/18 One North, LLC – 2023 First Quarter Aggregate Material Tax Reporting Form received (Not in packet)
- 04/19 St. Louis County Sheriff’s Office – Notice of SLC’s intent to declare State of Disaster due to spring flooding and requesting preliminary damage assessments (Discussed under “Road – Flood Damage Reimbursement Grant”)
- 04/19 MN Association of Townships Insurance Trust (MATIT) – Deletion of 1991 International Fire Engine (Unit #1) from insurance policy
- 04/19 MN Department of Revenue – Ron Gajewski Certificate of Completion for Board of Appeal and Equalization Training on 04/19
- 04/24 St. Louis County Association of Townships (SLCAT) – Notice of Annual meeting and election of officers on 05/24. Doors open at 5:30 PM; meeting and election at 6:00 PM; and dinner at 6:30 PM. Return attendance request ASAP.

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- 04/24 Forum Communications - Cloquet Pine Journal – Cloquet Pine Journal no longer qualified as legal newspaper for Carlton County in MN. Solway will continue publishing with them for informational purposes.
- 04/25 Shelton Excavating – 2023 First Quarter Aggregate Material Tax Reporting Form received (Not in packet)
- 04/27 WLSSD – Open house and electronics collection at Solway Recycling Center on 06/03 (Discussed under “Recycling”)
- 04/28 MN Association of Townships Insurance Trust (MATIT) – Notice of Overland EXL conducting property evaluations on behalf of MATIT
- 05/02 Rodda Grading & Excavating, Inc. – 2023 Solway Township Price List
- 05/02 Duluth News Tribune, Hermantown Star and Proctor Journal – Affidavits of Publication (Notice of Board of Appeal and Equalization Meeting on 05/11 at 4:00 PM)
- 05/02 Atty Caitlin Crowl - Fryberger, Buchanan Law Firm – Request for copy of town ordinances. Clerk McGregor will post these to our website and so inform Atty Crowl.
- 05/04 MN Power - Service at 6005 Morris Thomas Road – Notice of new power installation. After discussion, it was agreed that when the Township is contacted regarding service requests, we will ask MN Power to send notification via email as a courtesy and for our file.
- 05/04 Coons Aggregate Supply – 2023 First Quarter Aggregate Material Tax Reporting Form received (Not in packet)
- 05/05 St. Louis County Land Dept. – Notice proposing sale of tax-forfeited land that cannot be improved due to noncompliance with local ordinances regarding minimum area, shape frontage or access (Response required within 30 days). No board action will be taken.
- 05/08 Munger Tavern & Grill – Renewal of regular liquor license and permit for special event permit from 07/21-23 (Second annual “Munger Days”). **MOTION by Supervisor Gajewski, seconded by Supervisor Welsh, and carried unanimously that there be no objection to the Liquor License Renewal for Munger Tavern & Grill. MOTION by Supervisor Gajewski, seconded by Supervisor Welsh, and carried unanimously that there be no objection to the Special Event Liquor License Permit for Munger Tavern & Grill.** Clerk McGregor will sign and return required paperwork to St. Louis County.
- 05/08 MN Association of Townships Insurance Trust (MATIT) – Deletion of 2002 International 7400 Fire Engine (Unit #6) from insurance policy
- 05/09 DeCaigny Excavating – 2023 First Quarter Aggregate Material Tax Reporting Form received (Not in packet)

V. OUTSTANDING BILLS: Treasurer Moe reported additional bills for the Outstanding Bills List as follows:

- Audio Systems - \$9,296.00 (80% down payment on 05/09/23 proposal for upper level Town Hall audio/visual system)

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MOTION by Supervisor Welsh, seconded by Supervisor Gajewski, and carried unanimously to pay all bills as listed on the Outstanding Bills List, and additional bills presented by the Town Treasurer, for a total amount of \$35,858.51.

VI. CITIZEN REQUESTS AND CONCERNS:

- A. Dale & Nancy Vanderscheuren – MN Power HVDC Project – The Vanderschurens live in close proximity to the proposed MN Power Project and attended the second MN Power open house on April 19, 2023, at the Town Hall. Although the open house helped them to understand the project itself, they did not feel their questions and concerns had been adequately addressed. They were also informed by MN Power about an environmental scoping meeting put on by the State specifically for this project, and they are waiting for more information on that.

The Vanderscheurens came to the meeting to inquire whether the Town Board will be advocating for residents regarding concerns relating to potential noise and light levels, and information regarding buffer zones.

The Vanderscheurens were informed that the only involvement the Township has had regarding the MN Power Project has been hosting the two open houses that have been held to date.

After discussion, it was determined that the best resource for assistance may be St. Louis County, and they will be contacted for an appropriate contact. The Vanderscheurens were informed that once contact information is obtained, they will be provided with that information. It was also suggested to the Vanderscheurens that St. Louis County Commissioner Keith Musolf may be a good contact.

VII. ROAD:

- A. Road Inspection – The annual road inspection was conducted on Friday, May 5, 2023, by Supervisors Gajewski and Welsh, Leon Forstrom, Bob Rodda and Clerk McGregor. Tree limbing and brushing is needed on several roads and to the east of the railroad crossing sign on the south Jeffrey Road, and Mr. Forstrom will coordinate this work. Gravel will be applied to various roads as necessary; however, due to its poor condition, the Jerry Road will be the focus for improvements in 2023.

Although preliminary estimates for the cost of culverts, pit run, gravel and hauling costs have been received, these numbers need to be finalized, as costs in all categories have increased significantly. During the road inspection, it was estimated that nearly 3,000 yards of Class-5, and 500

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yards of pit run, will be needed to complete designated road projects and maintenance.

St. Louis County will be contacted regarding pothole maintenance on the north end of the Jeffrey Road between the Maple Grove Road and Sather's pit.

MOTION by Supervisor Welsh, seconded by Supervisor Gajewski, and carried unanimously to approve \$15,000 for a cross culvert, entrance culvert, and road buildup on the Jerry Road near the power line; \$3,500 for a cross culvert toward the end of the Jerry Road; and \$3,500 for an entrance culvert on west Jerry Road (6356).

The replacement of one or both of culverts at the end of the west Jerry Road will be completed once estimates are available.

- B. Material Pit Accounts – There was discussion as to whether the Township would benefit by directly setting up accounts with area gravel pits to avoid any upcharge or sales tax by haulers. According to Supervisor Gajewski, it is his understanding that haulers for the Township provide the pits with tax exempt certificates.
- C. Flood Damage Reimbursement Grant – Minnesota met the federal disaster requirements due to spring flooding this year. Projects specific to road flooding damage repairs made beginning March 21, 2023, and meeting the \$3,800 threshold, may be eligible for reimbursement. Invoices for flooding repairs will be reviewed and submitted to St. Louis County Emergency Management for consideration of reimbursement.

VIII. FIRE DEPARTMENT:

- A. Department Report – Chief Brandon Porter reported that they have had over 60 calls so far this year, including a house fire with seven rekindles, and a truck rollover on Highway #2. Two new members have been recruited, bringing total membership up to sixteen.
- B. Building Signage Update – Authorization was given at the February meeting to purchase signage for the south and west sides of the Fire Hall from Eagleview Metalworks for \$4,900. According to Chief Porter, the signs are painted, and hardware has been purchased. Chief Porter will be assisting with the installation of the signs in the near future.
- C. DNR Grant – Wildland Fire Gear – Most of the Wildland Gear purchased via this grant has been received, with the remainder arriving by May 24th.

The project invoice has been submitted and once the actual invoice from the fire company is received, that will also be submitted. The submission deadline for invoices is June 1, 2023, and Chief Porter is expecting to have the final invoice prior to the deadline.

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- D. Fire Protection Issues (Insurance) – Supervisor Welsh will be exploring alternative insurance options for the Township and the Fire Department’s policy will be requoted in May. Both policies will be reviewed to avoid duplicative coverage. There was no update on this topic at the May meeting; however, Chief Porter suggested the coverage on Engine #1 (Pierce) be increased due to the amount of equipment it will be housing.
- E. Damage to Unit #6 and Tanker #3 on 02/18/23 Fire Call – According to Chief Porter, Unit #6 (2002 International 7400) was sold “as is” on May 6, 2023. MATIT was informed by Clerk McGregor on May 3, 2023, that the insurance claim on this unit can be closed.

Chief Porter reported that Tanker #3 (2012 Freightliner) was brought to Jeff Foster Body Shop in Superior, WI on April 18, 2023, for assessment because Dusty’s Body Shop in Blaine, MN, was unable to make timely repairs. Parts should be received by Jeff Foster on about May 9, 2023, with an estimate being received shortly thereafter.

- F. Unit Purchase/Sales Updates
1. 2005 Pierce Enforcer (Rescue Engine #1) – Rescue Engine #1 was purchased by the Township on April 16, 2023, for \$99,900 from Fire Unlimited, LLC, in Appleton, WI and picked up by Chief Porter that same day. Rescue Engine #1 is completely set up with everything needed on board. SVFD also purchased heat thermal image indicators for all firefighters, and they will be housed on Engine #1.
 2. 1991 International (Engine #1) – Engine #1 was sold and delivered by Chief Porter on April 15, 2023, to Fire Unlimited, LLC, in Shawano, WI, for \$9,000, with the check made payable to Solway Township.
 3. 2002 International 7400 (Engine #6) – Engine #6 was sold and delivered by Chief Porter on May 6, 2023, to Jon’s Mid America in Rogersville, MO for \$95,000. Prior to the sale, the tires from Engine #6 were exchanged with those on Tanker #3 on April 17, 2023, by Pump’s Tire Service at a cost of \$1,178.72. This exchange resulted in there being much better tires on Tanker #3.
 4. 2013 Rehabilitation Trailer – Request to Sell – The rehab trailer was delivered to Wisconsin Surplus Auction in Mt. Horeb during the weekend of May 6th.
- G. Septic System Damage – During snow removal, wires on the Fire Hall septic system were damaged. Keith Anderson and the Township are working together to coordinate repairs. Midway Sewer pumped the shop pit cistern on May 4, 2023. Chief Porter will call Midway Sewer if the hazardous waste tank needs to be pumped out.
- H. Road Right-of-Way Soil Contamination – This topic was last included in the January 10, 2023, minutes, and at that time, further discussion postponed until Spring. Supervisor Gajewski reported that he has not had any updates from the County and will be following up with them.

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IX. RECYCLING:

- A. WLSSD Open House & Electronics Collection – WLSSD is planning open house events at rural recycling sites in June, with an opportunity to also have an electronics recycling contractor available. The Open House for Solway has been scheduled for Saturday, June 3, 2023, from 8:00 to 10:00 a.m. WLSSD has requested the Township's mailing list to send out notification post cards to residents, and that will be provided to them by Clerk McGregor. Once complete information, including electronic recycling rates, is received from WLSSD, information will be posted on our website and placed on our electronic message board.
- B. Battery Disposal – Horst Blumerich met with Lori Blais of WLSSD on April 19, 2023. Ms. Blais picked up all batteries that have been dropped off at the Recycling Center and provided a new collection container. Outdated posters were disposed of and Ms. Blais will bring updated posters and pamphlets to the June 3rd Open House. WLSSD will also be providing Solway with updated dumpster and plastics container signage. Ms. Blais is also in the process of creating an updated tracking sheet and will provide that once it is complete. Mr. Blumerich also reported that we can now combine everything in one container, except for corrugated cardboard, which will be kept separate.
- C. Potholes – Leon Forstrom inquired whether WLSSD provides grant money to repair potholes near the recycling dumpsters. This type of funding falls under a special grant and further discussion will be carried over to the next meeting.

X. HALL:

- A. Audio Visual/Conferencing System Update – Tim Aldrich of Audio Systems previously submitted proposals on February 28, 2023, for an audio/visual system, including video conferencing capabilities. The system will be utilized for in-person and virtual meetings/gatherings, and for video/slide show presentations. The system will include standard audio visual, with hook-up to a computer for both levels of the Hall, shared audio capabilities between the upper and lower levels, and installation of a television antenna and "tilt" style TV brackets.

Mr. Aldrich attended the May meeting and presented the Board with an updated proposal dated May 9, 2023, in the amount of \$11,620.00.

According to Mr. Aldrich, the updated proposal includes the addition of wireless microphones at the Board table as discussed at the April meeting and an alternative rack style. Another variable is an active splitter that would receive all microphones without interference. Speakers for the microphones would be overhead. Mr. Aldrich also reported that he has researched the conferencing component of the system and plans to present that at the June meeting.

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Supervisor Gajewski expressed concerns with the upper-level unit being placed behind the stage and prefers placement in the northwest corner of the kitchen currently occupied by the microwave. One advantage to placement in the kitchen would be the ability to potentially access the unit directly from the Hall area. Mr. Aldrich suggested an “in wall/slide-out” design that would require a different style rack. If that type of unit turns out to be unfeasible, then the entire unit could be placed in the kitchen.

MOTION by Supervisor Gajewski, seconded by Supervisor Welsh, and carried unanimously to pursue the project, including the additional costs. Mr. Aldrich informed the Board that his work is guaranteed for one year, and his terms are 80 percent down, and 20 percent upon completion. Video conferencing will be proposed separately.

The Proposal from Audio Systems dated May 9, 2023, in the amount of \$11,620.00 was approved and signed by Supervisors Gajewski and Welsh, and Check #19447 in the amount of \$9,296.00, representing the 80 percent down payment, was issued by Treasurer Moe and given to Mr. Aldrich.

Mr. Aldrich will inform Supervisor Gajewski once he schedules a meeting with Rick Flesvig so that he can also participate in the meeting. During the meeting, they will also be discussing repair of the security camera.

- B. Security Camera Repair Update – Red-D-Electric – Discussed under “Audio Visual/Conferencing System Update”
- C. Sale of Old Message Center Sign – Leon Forstrom reported that there has been no interest in the purchase of the old sign at an asking price of \$2,000. **MOTION by Supervisor Gajewski, seconded by Supervisor Welsh, and carried unanimously to lower the asking price to \$1,000.**
- D. Roof Vent Over Stage – At the March meeting, there was discussion regarding an intermittent leak in the ceiling of the stage area due to snow coming in through the Whirlybird roof turbine. There was discussion regarding removal of the turbine; however, no decision will be made until it is determined whether the turbine is needed for ventilation.
- E. Replacement Windows – **MOTION by Supervisor Gajewski, seconded by Supervisor Welsh, and carried unanimously to obtain quotes from Morin’s Siding & Window and Perrault Construction to replace windows in the upper level and attic of the Hall.** It was suggested that these contractors may also be able to provide recommendations regarding the roof vent over the stage.
- F. Diaper Changing Stations – There was discussion regarding the need for diaper changing stations in the bathrooms. It was determined that changing tables will not be considered at this time as there have been no requests from residents.

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- G. Flag – **MOTION by Supervisor Gajewski, seconded by Supervisor Welsh, and carried unanimously to purchase a new flag for the Town Hall.**

XI. PARK:

- A. Safety Inspection Report Update – Supervisor Gajewski reported that there were no issues included in the May 4, 2023, report. Although there were no safety issues, Leon Forstrom will coordinate the clearing of small pine trees on the trail that were heavily damaged by weather this past winter, along with the cleanup of dead trees and branches in the park. Snow fencing along the western property line was also destroyed last winter and will be removed.
- B. Post & Hose Fencing – Some of the fire hoses used on our fencing have deteriorated and several posts were broken during snow removal. If the fencing is removed, Leon Forstrom suggested using wooden posts for the handicap signs, providing they are tall enough, and this will need to be researched. After discussion, it was determined that fencing will be removed in the area around the trees near the handicap spots by the side entrance of the hall, and by the propane tanks. **MOTION by Supervisor Gajewski, seconded by Supervisor Welsh, and carried unanimously that we replace the “Additional Parking” sign on the west end of the parking lot.**
- C. WLSSD Dumpster – Ability to Lock – On April 14, 2023, a replacement dumpster was delivered that includes a locking mechanism.
- D. Portable Johns – Once the soccer fields are set up, a call will be made to request units and Supervisor Gajewski will follow up on this.
- E. Basketball/Tennis/Pickleball Courts – Discussion on this topic will be carried over to the June meeting.

XII. CEMETERY:

- A. Flag - **MOTION by Supervisor Gajewski, seconded by Supervisor Welsh, and carried unanimously to purchase a new flag for the cemetery.**

XIII. COMMITTEES: There was no business discussed under Committees.

XIV. OLD BUSINESS:

- A. Insurance Review Update – The Township will be exploring alternative insurance options. Supervisor Welsh will be gathering information for review and consideration by the Board. The insurance review will also be coordinated with the Fire Department to avoid duplicative coverage. There was no update at the May meeting.

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- B. BCA (Bureau of Criminal Apprehension) Joint Powers Agreement (JPA) - In follow-up to a phone call on March 29, 2023, from Karen Roatch with the BCA, an email was sent along with JPA renewal documents. The Originating Agency Identifier (ORI) number that was obtained by Solway Township in 2017 has been inactive for a number of years; therefore, the St. Louis County Attorney's Office (SLCAO) requested that it be retired.

It is unclear as to why Solway's ORI number is not being used and before a determination is made on this, more investigation will need to be done. Ms. Roatch recommended that Solway holds off on renewal of the JPA until all questions have been answered and an informed decision can be made.

On May 3, 2023, Clerk McGregor spoke with the Midway Township Clerk, Beth Belden, and was informed that in 2022, total revenue related to their JPA was about \$2,000, and about \$400 so far in 2023. Other than being able to determine revenue received as a result of their JPA, Ms. Belden was not familiar with the agreement itself as she is a fairly new clerk.

Since we had not been contacted by the SLCAO, Clerk McGregor contacted Wade Backstrom, Administrative Assistant, with that office on May 4, 2023. Mr. Backstrom was not very familiar with the JPA agreements, but after discussion agreed that Clerk McGregor should attempt to determine why the ORI (Originating Agency Identifier) number for Solway was not being used, and he did not express any opposition to Solway continuing with the JPA which would result in revenue for the Township.

- C. Aggregate Tax Audits (John Foschi, CPA) – Supervisor Gajewski and Clerk McGregor met with John Foschi on April 14, 2023. At the meeting, he expressed an interest in conducting aggregate audits for Solway Township and was asked to submit a proposal for consideration by the Board at the May meeting.

Mr. Foschi attended the May meeting and was introduced to the Board. He did not present a proposal and indicated that he was having some difficulty in determining the amount of time that would be required for the auditing process. Mr. Foschi anticipates that he would initially send out questionnaires with general questions to learn more about the processes at each of the pits. His goal would be to confirm supporting documentation for what is reported by each pit.

Mr. Foschi inquired whether the Township at some point would be interested in conducting audits on their own once a process was established; however, the Board informed him that they are not credentialed for these audits.

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MOTION by Supervisor Gajewski, seconded by Supervisor Welsh, and carried unanimously to hire John Foschi to begin the process of auditing Solway’s aggregate tax revenue with the producers.

In order to fully develop a questionnaire, Mr. Foschi was provided with records from prior tax audits and agreed that an introductory letter to the pits from the Township prior to audits being conducted was a good idea. **MOTION by Supervisor Gajewski, seconded by Supervisor Welsh, and carried unanimously to involve Attorney John Bray in composing a letter of introduction to the pits.** Mr. Foschi will review this material and provide an update at the June meeting.

XV. NEW BUSINESS:

- A. Newsletter “Change Service Requested” Post Office Notices – Due to the “Change Service Requested” language in the addressee portion of our newsletters, the Township receives notices from the post office for any newsletters that are undeliverable and is charged .78 per notice. These notices may relate to a residence being vacant or the occupant temporarily away, a damaged or missing mailbox, or a change in address. After discussion, it was determined that in most cases, the notices are unnecessary. Requests by residents for the newsletter to be sent outside the Township are processed by the clerk and added to the mailing list used by the Proctor Journal. **MOTION by Supervisor Welsh, seconded by Supervisor Gajewski, and carried unanimously that the “Change Service Requested” language will be removed from the newsletter.** Clerk McGregor will remove this language from future newsletters.

XVI. SIGN CHECKS/ADJOURNMENT

MOTION by Supervisor Gajewski, seconded by Supervisor Welsh, and carried unanimously to adjourn tonight’s meeting with the signing of checks. The meeting was adjourned at 9:23 p.m.