

Becker Town Board Meeting  
Regular Meeting 7:00 p.m.  
Monday, June 26, 2023  
12165 Hancock Street

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### **Attendance**

Board members: Chair Brian Kolbinger, Vice Chair Brad Wilkening, Joe Danielson, Luke Babler (online. Proper notice was posted in the Township and at his location), Robin Boros, Clerk Lucinda Messman, Treasurer Tanya Danielson, Deputy Clerk Fran Seeley, Deputy Treasurer Marilyn Danielson

Absent:none

Others: Sherburne County Sheriff's Department – Deputy Strum, Wes Davis – Township Engineer, Ben Wikstrom – Township Planner, Jacob Sanders – City of Becker, Mark Kolbinger – The Patriot Newspaper (online), Tony Wruck – Wruck Excavating, Kelli Bourgeois – Township Attorney (online), Jennifer Christianson (online), Mark Limpert (left at 7:15), Tony Wruck – Township Contractor, Craig Wensmann – Bogart, Pederson, and Associates.

*Zoom platform was available for any member of the public who wished to attend virtually. Supervisor Babler attended from a remote location with proper postings having been made.*

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Meeting called to order at 7 pm. Quorum verified by Chair Kolbinger.

Pledge of Allegiance

### **CONSENT AGENDA ITEMS APPROVED**

1. Approval of upcoming electronic fund transfers/automatic payments.
  - a. City of Becker – water/sewer for Town Hall
  - b. Xcel Energy – gas/electric for Town Hall
  - c. Midco Business – phone and internet
  - d. Upcoming EFTS related to payroll
    - i. Federal and State Taxes
    - ii. PERA
  - e. State of MN for building permit surcharge fees
  - f. Monthly credit card reader fee
2. Correspondence/Information
  - a. City of Becker Newsletter
  - b. Profile of Older Adults in Central Minnesota
  - c. MN LTAP Newsletter
  - d. State Demographer Data for Becker Township
  - e. Great River Energy
  - f. Thank you notes from Danish Cemetery Association and Snake River Cemetery Association
  - g. Building Permit monthly report
  - h. Becker Municipal wells
  - i. Central Applicators
  - j. Sherburne County Connect Minutes including Child Care Needs summary

3. Approval/Acceptance with no comments - Holiday Station Store 598 Renewal of Tobacco License

**Motion to approve consent agenda as listed above by Boros. Second by Danielson. Kolbinger – Aye, Wilkening – Aye, Babler – Aye, Danielson – Aye, Boros – Aye. Motion carried all voting in favor.**

**Motion to approve a regular agenda by Wilkening. Second by Boros. Kolbinger – Aye, Wilkening – Aye, Babler – Aye, Danielson – Aye, Boros – Aye. Motion carried, all voting in favor.**

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### SHERIFF'S REPORT

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Typical month, nothing out of the ordinary

- 190 calls for service
- 59 traffic stops
- Largest increase in motor vehicle accidents this month

Property line issues continue.

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### OPEN FORUM

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- None

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### PLANNING COMMISSION/JOINT PLANNING BOARD UPDATES – Wikstrom

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- Activity
  - Last month's Joint Planning Board
    - Approval of the Danielson IUP for a site based business on Mallard Drive
    - Approval of the Sandy Forest/duMonceaux boundary adjustment and plats
  - This month's Planning Commission meeting
    - Reviewing application for preliminary and final plats for Jureks/Fantails and Flags Three. This plat retains the western portion as an outlot with the intention of the 66' wide portion becoming a road in the future to connect to the northern 164rd Ave SE as previously discussed with the Town Board.
    - Review of an IUP to allow two campers on a lot long term, in association with the Sherco Solar project. The public hearing concluded, though the ruling was tabled as the commission requested more time for further staff review. Supervisor Wilkening: board understands this request however the issues is that if the campers are allowed to stay for two years, would others decide to do the same and create rentals on their parcels. This is a request for family members. Board tabled to check more ordinances and allowances to see if there is a path that other communities have utilized related to this request.
    - Review of Engineering comments related to the subdivision ordinance, expected to be finalized next month with a public hearing.

○ New Items

- Request of opinion from the Town Board regarding potential rezoning, and subsequently updating of the comprehensive plan, of property along Highway 10.
  - Currently the comprehensive plan shows the parcel of land as commercial; due to current solar activity, the majority of the land in the industrial district is no longer available.
  - Additional considerations include:
    - the platted frontage road
    - highway 10 access would be on the potential purchaser to work through with MN Dot
    - there is a large powerline easement through this property.
  - The current inquiry is from a business that is essentially a contractor's yard and staging area for a business that performs sediment and erosion control and stabilization services for construction projects.
  - Prior to the solar projects, the Township would not have considered this area, however, is this area, near the east edge of the township desirable or acceptable or would amending the commercial zoning district be a better path?
  - Would this parcel be a good area to consider industrial?
  - No, the board would prefer to see it stay farmland than allow industrial north of Highway 10.
  - Zoning ordinance would go before Planning Commission and Joint Planning Board, however the Town Board would have no interest in amending the commercial zoning district allowed uses at this time.
- Potential rezoning along the private road 166<sup>th</sup> Street Southeast
  - A landowner in the area wishes to adjust the boundary lines of three of his properties to create two lots.
  - Current area is zoned Agriculture. Agriculture has a 20 acre minimum lot size.
  - While the owner would be able to request a rezoning for the lots in question, the Town Board may wish to consider rezoning all of the small lots in the area immediately to the East and South of 166<sup>th</sup> Street were viewed.
  - Township Attorney: issue now, you cannot worsen a non-conformity.
  - If this is in the best interest of the township, there is one less step for the homeowner to follow.
  - - Pro's and cons discussed

- They are all non-conforming in size
- No comprehensive plan amendment would be required
- If the Township were to initiate the change, staff would notify all impacted property owners. A letter explaining the process and the advantages of changing lots from non-conforming to conforming would be sent with notification.
- Town Board consensus, it is a change that makes sense in the area.
- Future land use in the comprehensive plan depicts these lots as planned for General Rural zoning (they would become in conformance with zoning standards).
- Lots abut subdivisions in the area that are already zoned General Rural.
- Wensmann – discussion regarding non-conformities in Township vs. County zoning ordinance regarding Boundary Adjustment path and types of lot subdivisions.

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**ENGINEER’S REPORT – Davis**

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- 97<sup>th</sup> Street
  - Moving forward. Knife River is scheduled to start July 10, 2023.

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**SOLAR OVERLAY GROUP - Sanders**

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This group will re-convene in August. The discussion of solar has changed. It now has been focused on the City of Becker’s desires to see some updates/changes in the various agreements the Township and City have in place. A list will be provided to the Township in the future so discussions can move forward. The rights of landowners remain at the forefront of concern to Township Supervisors.

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**SUPERVISOR REPORTS**

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**Fire Board – Supervisor Babler**

- Reviewed the budget and CIP. Both are ready for presentation in July.
- Zoom platform to be used for finance attendance.
- Normal calls for the first half of the year.
- The Annual Fire Board Joint meeting is to be in July as typical. 8 pm at the Town Hall.

**CMRP – Sanders/Supervisor Kolbinger**

- Highlights around non-profit were in the packet. This is still a work in progress at this time.

**Contracts – Supervisor Wilkening**

- Both contracts for general maintenance and snowplowing have been reviewed.
- GPS language added to the snowplowing contract.

- GPS language added to the general maintenance contract for mowing and grading.
- Review of changes with Board members.
- Changes to start/end of each – looking at bidding two year contracts.
  - Plowing/Ice control – September 1, 2023 – August 31, 2025. Time frame works for this one, maintain this type of time frame for future contracts.
  - General Maintenance – September 1, 2023 – December 31, 2025. Next one would be a January-December date range. Plan for January-December for all future general maintenance contracts as General Maintenance is minimal at this time and better than bidding in the midst of the busy season.
- Currently both contracts expire August 31, 2023.
- Board consensus, move forward to allow for August bid opening.

#### **Roads – Supervisor Boros and Supervisor Danielson**

- Astech quotes – currently on hold
- 97<sup>th</sup> Street Pothole complaint
  - Pothole opinion letter from Township Attorney distributed to the Board members for review. Includes: opinion that the Township is not liable. On first notice, May 30<sup>th</sup>, corrected that day. 2<sup>nd</sup> notice, June 9<sup>th</sup>, again corrected the issue.
  - Jennifer Christianson wants repair of vehicle and records of repairs. Advised to contact the clerk to follow the procedures to request those records.

#### **Town Hall**

- Meeting this Friday with the American Legion

#### **Treasurer's Report**

- Wages have been reallocated to funds more appropriately.
- **Motion to approve Treasurer's Report as presented by Wilkening. Second by Boros. Motion carried, all voting in favor.**
- **Motion to approve payment of**
  - **Warrants 16039-16092**
  - **PO's 1550-1554**
  - **in the amount of \$ 119,380.57 by Babler. Second by Boros. Kolbinger – Aye, Wilkening – Aye, Babler – Aye, Danielson – abstained as his company had submitted an invoice, Boros – Aye. Motion carried all voting in favor. Motion carried 4-0-1.**

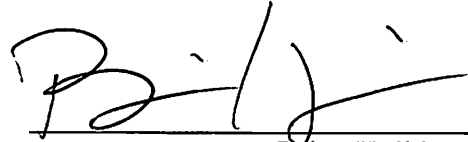
7:46 pm Supervisor Kolbinger stated the meeting will now recess to allow for signing of documentation and distribution of checks, then the meeting will resume in closed online session as permitted by the attorney-client privilege as indicated in MN §13D.05 to discuss the alternatives presented by the Attorney regarding the Township's insurance claim.

Closed portion of the meeting will not be recorded and minutes will not be taken.

8:15 pm meeting resumed in closed attorney-client privilege session.


8:34 pm Motion to end the closed meeting portion and resume open session. (Supervisor Babler left the linked portion of the meeting at the end of the closed meeting section.) by Danielson. Second by Boros. Motion carried, all voting in favor.

Meeting Adjourned 8:35 pm.



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Brian Kolbinger, Chair



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Lucinda Messman, Clerk