


NOTICE

BECKER TOWNSHIP BOARD MEETING

JANUARY 26, 2009

Due to lack of quorum the regularly scheduled
Town Board Meeting has been rescheduled for
Monday, February 2, 2009.


Judy Shermak
Clerk

1/23/09

**JANUARY 26, 2009 – No Quorum
Meeting held February 2, 2009
Agenda**

- Minutes of December 15, 2008 Regular Meeting
- Sherburne County Sheriff's Department
- Brad Wilkening – Planning Commission Update
- Developer Agreement Discussion
- Engineer's Report
- Connections, Etc. – approve transfer of Franchise Agreement to new owners
- Appoint Election Judges for Annual Election March 10, 2009 from list of certified judges of the township
- Set Election Time – 9:00 a.m. – 8:00 p.m.
- Set Board of Audit – February 23, 2009 after regular meeting
- Supervisor Reports
- Treasurer's Report
- Approve payment of warrants
- Adjourn

JANUARY 26, 2009 MEETING HELD ON FEBRUARY 2, 2009
BECKER TOWNSHIP BOARD MEETING

Becker Township Board met on Monday, February 2, 2009 at 7:00 p.m. at Becker Township Hall. The January 26, 2009 meeting was postponed for lack of quorum.

Present: Mark Limpert, Lester Olson, Kyle Johnson, Judy Shermak, Renee Marquette, Tanya Danielson.
Absent: Gary Hammer, Howard Johnson.

Also present: Brad Wilkening, T. Vander Eyk-Engineer, Todd Schendzielos, Jeff Lambert, Craig Johnson.

Acting Chair Limpert called the meeting to order.

- MINUTES –Olson moved second K. Johnson, minutes of December 15, 2008 Regular Board Meeting be approved as distributed. Motion carried all voting for.
- PLANNING COMMISSION – Brad Wilkening updated the board on progress being made. The Planning Commission recommends approval of the contract for Agreement for Planning Services between Town of Becker and Community Growth Institute with the change of date for the term of the agreement reflecting today's date, along with changes to the payment to the Consultant fees dates. Brad met with Chuck Marohn, Consultant, and was advised on services that will be available and the method of how he will be reporting to the board on the progress being made. K. Johnson moved, second Olson, to approve the contract with amended dates. Motion carried all voting for. Acting Chair Limpert signed the agreement.
- DEVELOPER'S AGREEMENT – Five developers were invited to participate to discuss the problems being encountered with finishing road projects because of the current economy. None were present at this time. Discussion with T. Vander Eyk, Engineer, on what needs to be done to complete roads. General consensus was that roads should be finished this spring and the Township can pave using their warranty money. Eyk will draft a letter to developers indicating adjustments to values and current rates. Discussion on whether the Township can assess lots to cover cost if developer does not live up to the Developer's Agreement. Attorney Schieffer will be consulted.
- ENGINEER'S REPORT:
 - FILLY TRAIL – paving contract and specifications have been sent to the county to be bid along with their projects. Cost of project is approximately \$230,000.
 - 153RD AVE. AND 127TH ST. UPGRADE – Eyk will draft letter to Becker City requesting cost share for the city portion of the road. The developer of Fossum Fields is responsible for the upgrade of the city portion of their section of road when it is developed. Approximate cost is \$83,000. The Township will need to acquire slope easements. The road is not scheduled to be worked on until 2010 as road funds will not be sufficient for 2009.
- CONNECTIONS ETC FRANCHISE AGREEMENT – K. Johnson moved, second L. Olson to approve the transfer of the Cable Franchise Agreement to the new owners of Connections – Sherburne TeleSystems, Inc. Motion carried, all voting for.
- ANNUAL ELECTION MARCH 10, 2009 – Olson moved, second K. Johnson to appoint Election Judges from the list of certified judges of the Township. Motion carried all voting for. K. Johnson moved, second Olson, to set time of election for 9:00 a.m. to 8:00 p.m. Motion carried all voting for.
- BOARD OF AUDIT – K. Johnson moved, second Olson to set Annual Board of Audit for February 23, 2009 after the regular board meeting. Motion carried, all voting for.
- SUPERVISOR REPORTS – K. Johnson and Olson reported on road maintenance.
- TREASURER'S REPORT – K. Johnson moved second Olson, to approve the updating of the Township's signature card at Sherburne State Bank, which replaces all old signatures. Motion carried all voting for. Olson moved, second K. Johnson the treasurers report be approved as distributed. Carried all voting for.
- Olson moved second K. Johnson warrants #10839 to 10861 in the amount of \$85,259.98 be paid. Motion carried all voting for.

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- CRAIG JOHNSON – Discussion held on his Developer Agreements. He would like to finish the projects but at this time cannot because of financing and requested using warranty money to help the projects. He quoted warranty amounts held in Certificates of Deposit by the Township which amounted to \$370,190. Tonnage quotes he received are now \$58 and \$60 per ton. \$243,000 would finish paving and pay debts from the developments. Discussion on current economy, township responsibility to taxpayers, and the board felt they cannot re-negotiate the contracts and must hold to agreements, treating all equally. Craig feels the rules can be changed. No action taken at this time.
- Olson moved second K. Johnson meeting be adjourned. Carried all voting for.



Judy Shermak
Clerk

FEBRUARY 23, 2009
Becker Township Board Meeting
Agenda

- Minutes of February 2, 2009 Regular Meeting
- Sherburne County Sheriff's Department
- Brad Wilkening – Planning Commission Update
- Engineer's Report
- Connections, Etc. – approve and adopt Resolution No. 09-01 Approving the Transfer of the Cable Franchise (Resolution required by Sherburne Cable-Com, Inc., per Tim Hayes, Connections)
- Township Officers 2009 Spring Short Course will be held in St. Cloud on March 23rd.
- Supervisor Reports
- Treasurer's Report
- Approve payment of warrants
- Close meeting and open Board of Audit
- Adjourn

FEBRUARY 23, 2009
BECKER TOWNSHIP BOARD MEETING AND BOARD OF AUDIT

Becker Township Board met on Monday, February 23, 2009 at 7:00 p.m. at Becker Township Hall. Present: Gary Hammer, Mark Limpert, Lester Olson, Kyle Johnson, Judy Shermak, Renee Marquette, Tanya Danielson. Absent: Howard Johnson.

Also present: Brad Wilkening, T. Vander Eyk-Engineer, Todd Schendzielos, Jeff Lambert, Craig Johnson, Chuck Marohn-CGI Consultant, Atty. Dick Schieffer, Sgt. Dan Frank, Rod Dragsten, Kelli Neu, Mark Kolbinger-Citizen Newspaper.

Chair Hammer called the meeting to order.

- MINUTES –Olson moved second K. Johnson, minutes of February 2, 2009 Regular Board Meeting be approved as distributed. Motion carried all voting for.
- SHERBURNE COUNTY SHERIFF’S DEPT. – St. Dan Frank reported 156 incidents in the township in January. He explained the new CRASH program which emphasizes specific areas for traffic violations.
- PLANNING COMMISSION – Brad Wilkening updated the board on progress being made. Kelli Neu-Planner, and Dick Schieffer-Attorney, are putting together the document with what has been done so far in the planning process. Chuck Marohn, Consultant, would work from the information charts and time tables. He gave an aggressive and moderate schedule for establishing local zoning administration, reviewed each one, and recommended the moderate schedule. (Copy attached)

Continued discussion:

- County involvement will be involved on the building code, land use, subdivision regulations, and platting process.
 - The board would like Marohn to continue on from where the board has progressed up to this point. Kelli reiterated the goal for the grant was for involving public input on land use, updating comprehensive plan, etc. We are behind schedule and may need more than the 1-1/2 hour meeting per month.
 - Chuck explained the Land Use Matrix and stated it is a faster process. Kelli expressed that it is very important to know exactly what is in the document as it is the first document, very important and time consuming, but the end product will ensure the township gets a unique document that serves all the people of the township.
 - Hammer stated Chuck needs to help Kelli. She has been the lead since the beginning, and the need to keep goodwill for the benefit of the township and city is very important. Chuck stated there are certain requirements that needed to be met to stay in compliance with the grant money. It was agreed that Kelli and Chuck would meet with two planning commissioners to review the ordinance and work on a plan for moving forward.
 - Discussed time activities for CGI invoice for accountability to the board.
- ENGINEER’S REPORT:
OAK CREST ESTATES – a flooded transformer is causing problems for Xcel. The homeowner is pumping the ditch at this time. They requested the culvert be cleaned or replaced. Eyk will inspect and report back.

DEVELOPMENT REPORT - Eyk presented a report on all developments and their status. Five developments still need the final lift of bituminous and there is not enough funds left in their accounts to cover costs. The jobs may not get done if the Developer’s Agreement is upheld. Discussion on legal options. Can warranty funds be used to complete roads? Will banks pursue funds in escrow as an asset if there is a foreclosure involved? Attorney Schieffer stated in 2007 the board reviewed the Developer’s Agreement and decided not to release the warranty funds at that time. Since then economic times have

changed and no one knows if the rules will be changed in bankruptcy courts, and we may be better off getting the cash in the form of pavement and getting the road completed. The developer would have to agree and the Developer's Agreement changed. Performance Bonds and Letters of Credit are subject to lawsuits. Hammer is concerned about setting precedence for future development, and the effect it will have on those who have lived up the agreement. Discussion on developers petitioning the board to be in default. Atty. Schieffer will look at that possibility and also review the process for using the escrow funds to pave the roads. If using the escrow funds is possible the bidding could be done at the same time as current projects for better pricing. Limpert moved, second K. Johnson to hold hearings for petitions. Carried all voting for. Atty. Schieffer will notify developers giving list of defects and work needed to finish project. After set time for finishing work a Public Hearing will be held with developers, the board can find them in default, and work can be finished with escrow funds. Discussed with Craig Johnson his funds tied up and what is needed to finish his projects. Discussion on warranty funds and number of years covering the warranty, and whether the formula (37.5% of construction cost) should be lowered. The industry standard for warranty is one year, other governmental units vary, and Becker Township's is five years.

- **DEVELOPER INTEREST ACCRUELS** – Rod Dragsten and Craig Johnson requested payment for interest accrued on their Certificates of Deposit for escrow funds. They receive a 1099 and are paying taxes on it. K. Johnson moved, second Olson, to refund interest to developers on completed projects annually. Motion carried all voting for. The treasurer will have a report in March.
- **ASPEN RIDGE** – The road system passed final inspection and is 50% occupied. Limpert moved, second K. Johnson to accept and maintain roads. After further discussion it was found that an existing house that is not part of the development was included and 50% occupancy was not achieved. K. Johnson moved second Limpert to rescind the motion. Carried all voting for.
- **CABLE FRANCHISE** – Limpert moved second Olson to approve and adopt Resolution of the Township of Becker Approving the Transfer of the Cable Franchise to new owners. Motion carried all voting for. (Copy attached).
- **SUPERVISOR REPORTS** – K. Johnson and Olson reported on conditions of roads during winter, working to develop plans for salting and sanding, and monitoring the contractor. They also reported on fire chief position and work on the township emergency preparedness plan.
- **TREASURER'S REPORT** – Danielson reported the Road and Bridge Fund will be short \$20,000+. The township will be receiving a settlement payment from the county which will cover it. Limpert moved second K. Johnson, the treasurers report be approved as distributed. Carried all voting for.
- Olson moved second K. Johnson warrants #10862 to 10885 in the amount of \$195,692.06 be paid. Motion carried all voting for.
- Hammer closed the Regular Board Meeting and opened the Board of Audit.

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BOARD OF AUDIT - 2009

The board reviewed the yearly records and final financial reports of the treasurer and clerk for FY 2008. Limpert moved second Olson to approve the records for the audit. Motion carried all voting for.

Discussion on using the old Fire Hall property for parking and request the building possibly be torn down in a number of years. Parking space is needed for meetings and elections.

Recommendations for the Annual Meeting for FY 2010 were decided as follows:

General Revenue Fund – remain the same at \$40,000 plus special requests

Road & Bridge Fund – increase from \$350,000 to \$400,000

Fire Fund – increase from \$100,000 to \$200,000

New Fire Hall Fund – increase from \$41,000 to \$45,000

Town Hall Fund – increase from \$18,000 to \$30,000

Limpert moved second K. Johnson meeting be adjourned.



Judy Shermak
Clerk

RESOLUTION NO. 09-01

RESOLUTION OF THE TOWNSHIP OF BECKER APPROVING THE TRANSFER
OF THE CABLE FRANCHISE

WHEREAS, Sherburne Cable-Com, Inc. ("Franchisee") a Minnesota corporation and directly owned subsidiary of Sherburne Tele Systems, Inc., a Minnesota corporation ("Parent"), owns, operates and maintains a cable television system (the "System") in the Township of Becker, Minnesota ("Franchise Authority") pursuant to a franchise agreement as set forth in Resolution No. 01-02 dated January 28, 2002 (the Cable Communications Franchise Ordinance ("Franchise"))

WHEREAS, pursuant to an Asset Purchase Agreement, dated November 21, 2008 (the "Asset Purchase Agreement"), among Parent, Franchisee, various directly and indirectly owned subsidiaries of Parent, the majority shareholders of Parent (Parent, Franchisee and the various directly and indirectly owned subsidiaries of Parent are collectively, the "Selling Companies"), and Iowa Telecommunications Services, Inc., an Iowa corporation ("Iowa Telecommunications"), the Selling Companies agreed to sell, convey, assign, transfer and deliver to Iowa Telecommunications, and Iowa Telecommunications agreed to purchase, assume and acquire from the Selling Companies, the Selling Companies right, title and interest in and to (the "Sale Transaction") substantially all of the assets and properties of the Selling Companies, including the Franchise and the System (collectively, the "Assets");

WHEREAS, pursuant to the terms of the Asset Purchase Agreement, Iowa Telecommunications has the right to assign all or a portion of its rights to acquire the Assets to an existing or newly formed, direct or indirect wholly-owned subsidiary of Iowa Telecommunications;

WHEREAS, the Assets include the System and the Franchise Authority under the Franchise, which Iowa Telecommunications intends to assign to Lakedale Telephone Company, a Minnesota corporation ("Lakedale") and an indirect wholly-owned subsidiary of Iowa Telecommunications, and accordingly, Lakedale would continue to operate the System as the Franchisee and pursuant to the Franchise;

WHEREAS, under Minnesota Statutes § 238.083, sale or transfer of the Franchise and the System requires the written approval of the Franchise Authority;

WHEREAS, Franchisee, Parent, Lakedale and Iowa Telecommunications have requested the written approval the Franchise Authority to the Transfer in accordance with the requirements of Minnesota law; and

WHEREAS, the Franchise Authority has investigated the qualifications of Iowa Telecommunications and Lakedale, and deems Lakedale to be a suitable transferee;

NOW THEREFORE, BE IT RESOLVED BY THE FRANCHISE AUTHORITY
AS FOLLOWS:

SECTION 1. The Franchise Authority hereby approves of and consents to the transfer and sale of the Franchise and the System from Sherburne Cable-Com, Inc. to Lakedale Telephone Company, and intends that this approval and consent shall satisfy the requirements of Minnesota Statute § 238.083 and the terms of the Franchise

SECTION 2. The Franchise Authority hereby waives and releases any claim or right under the Franchise and Minnesota Statutes Chapter 238 to purchase the Franchise or all or any portion of the System in connection with the Sale Transaction.

SECTION 3. The effective date of the Franchise Authority's approval and consent to the transfer and sale shall be the date of the closing of the Sale Transaction.

PASSED, ADOPTED AND APPROVED this 3rd day of February,
2009.

BECKER TOWNSHIP

By: [Signature]
Name: Ch. Gary Hammer
Title: Chairman

ATTEST:

[Signature]
Clerk

March 16, 2009
Agenda

- Minutes of February 23, 2009 Regular Meeting and Board of Audit
- Oath of Office – Howard Johnson and Jeffery Lambert
- Developer Interest Payment Discussion
- Sherburne County Sheriff's Department
- Engineer's Report
- Reorganization
 - Elect Chair by motion
 - Meeting Per Diem and Salaries for Board Members, Election Judges, Clerk, Treasurer
 - Signing and Brushing
 - Outside and Inside Maintenance of Town Hall – mowing, snow shoveling, repairs, etc
 - Board representatives for Fire Board (Kyle & Lester), Sherburne County Association of Townships (Howard), Park Board (Kyle), County Planning and Zoning (Gary), Northstar Corridor (Mark)
- Supervisor Reports
- Treasurer's Report
- Approve payment of warrants
- Adjourn

MARCH 16, 2009
BECKER TOWNSHIP BOARD MEETING

Becker Township Board met on Monday, March 16, 2009 at 7:00 p.m. at Becker Township Hall. Present: Howard Johnson, Kyle Johnson, Jeff Lambert, Renee Marquette, Tanya Danielson, Kris Hammer, Deputy Clerk. Absent: Gary Hammer, Mark Limpert, Judy Shermak.

Also present: Lester Olson, Sgt. Dan Frank and Sheriff Joel Brott-Sheriff's Dept., Mark Wimmer, Brad Wilkening, T. Vander Eyk-Engineer, Todd Schendzielos, John Riebel-County Commissioner.

Acting Chair Howard Johnson called the meeting to order.

- MINUTES –Minutes of February 23, 2009 were not available.
- OATH OF OFFICE – Howard Johnson and Jeff Lambert took the oath of office as supervisors for three year terms and were sworn in by Deputy Clerk Kris Hammer.
- SHERBURNE COUNTY SHERIFF'S DEPT. – Sgt. Dan Frank reported 132 incidents in February and the ATV enforcement shifts are starting this weekend. Sheriff Joel Brott introduced himself. He has been appointed since Sheriff Bruce Anderson's retirement.
- DEVELOPER INTEREST – H. Johnson moved, second Lambert to refund annual interest payments to developers who have sufficient funds in their escrow accounts, payment to be made in March of every year. Carried all voting for.
- ENGINEER'S REPORT:
 - OAK CREST ESTATES – Mark Wimmer explained the water and drainage issues on 170th and 174th Avenue, and 166th Street. After inspection Vander Eyk, Twp. Engineer, reported culverts in private driveways are not installed or may be buried. Eyk will draft a letter to homeowners involved.
 - DEVELOPMENT ROADS – The process of paving unfinished roads with escrow funds is being worked on and Eyk will consult with the township attorney regarding writing a letter to developers and using escrow funds to finish the roads. K. Johnson moved, second Lambert to hold interest payments on Scenic Hills, Scenic Hills 2nd Addition, Turnquist Farms, and Peterson Farms because there is not sufficient funds in escrow to cover all costs. Carried all voting for.
- REORGANIZATION –
 - K. Johnson nominated Gary Hammer as Chair, second H. Johnson. Carried.
 - K. Johnson moved, second Lambert to keep all per diem and salaries the same as last year. Carried.
 - K. Johnson and Lambert will serve on the Fire Board.
 - H. Johnson will continue as representative on the Sherburne County Association of Townships.
 - K. Johnson is an alternate on Sherburne County Park Board.
 - G. Hammer is representative on Sherburne County Planning and Zoning Board.
 - Limpert is representative for North Star Corridor.
- SUPERVISOR REPORTS – Discussion on water issues. Todd Schendzielos will check for pot holes when it dries up.
- TREASURER'S REPORT – Lambert moved, second K. Johnson the treasurers report be approved as distributed. Carried all voting for.

March 16, 2009

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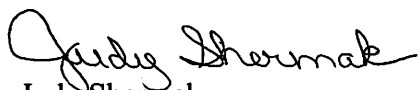
- PLANNING COMMISSION – Brad Wilkening gave update on zoning work being done. A working session has been added on the first Monday of the month to speed up the process. Kelli Neu will continue to work on zoning ordinances and consulting planner Chuck Marohn will be working on website, public input, building codes, permits, etc. Alliance Auction owner Richard Behrens attended a meeting and would like to change to online auctions, which would change use of the property. No action taken yet. Howard Johnson will be attending meetings while Gary Hammer is out of town for work.
- Kyle Johnson acknowledged and thanked Lester Olson for his 44 years of service to Becker Township.
- John Riebel asked if Becker Township zoned all land south of Hwy. 10 Industrial and North of 10 Commercial. Minutes from previous meetings on zoning status need to be found or the board may need to make a new motion so it is official.
- K. Johnson moved second Lambert warrants #10888 to 10917 in the amount of \$62,800.22 be paid. Motion carried all voting for.

February 2, 2009

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- CRAIG JOHNSON – Discussion held on his Developer Agreements. He would like to finish the projects but at this time cannot because of financing and requested using warranty money to help the projects. He quoted warranty amounts held in Certificates of Deposit by the Township which amounted to \$370,190. Tonnage quotes he received are now \$58 and \$60 per ton. \$243,000 would finish paving and pay debts from the developments. Discussion on current economy, township responsibility to taxpayers, and the board felt they cannot re-negotiate the contracts and must hold to agreements, treating all equally. Craig feels the rules can be changed. No action taken at this time.
- Olson moved second K. Johnson meeting be adjourned. Carried all voting for.

Submitted by Kris Hammer


Judy Shermak
Clerk

**April 20, 2009
Agenda**

- Minutes of March 16, 2009 Regular Meeting
- Sherburne County Sheriff's Dept.
- BID OPENING AT 7:30 P.M.
- Hardrives Inc. – Amend CUP to IUP (Interim Use Permit)
- Jeff Peterson – Township Sign Grant Program
- Jon Sevald, Sherburne County Zoning – update on County Comprehensive Plan
- Engineer's Report
- Tax Forfeited Parcels in Deer Forest
- Digital Data License Agreement with Consultant
- Resolution – Local Board Powers to be Reinstated (Board of Appeal & Equalization)
- Set Road Inspection Tour
- Supervisor Reports
- Treasurer's Report
- Approve payment of warrants
- Adjourn

REMINDER – SHERIFF JOEL BROTT WILL BE AT THE TOWN HALL AT 6:00 P.M. BEFORE THE MAY 18TH MEETING FOR ANYONE WHO WOULD LIKE TO MEET AND/OR TALK WITH HIM.

APRIL 20, 2009
BECKER TOWNSHIP BOARD MEETING

Becker Township Board met on Monday, April 20, 2009 at 7:00 p.m. at Becker Township Hall. Present: Howard Johnson, Kyle Johnson, Jeff Lambert, Renee Marquette, Tanya Danielson, Judy Shermak. Absent: Gary Hammer, Mark Limpert.

Also present: Sgt. Dan Frank-Sheriff's Dept., Brad Wilkening, T. Vander Eyk-Engineer, Parker Schendzielos, Mark Kolbinger-Citizen Newspaper, Kelli Neu-Becker City, Jeff Peterson, Jon Sevald and Nancy Riddle-Sherburne County Zoning, Kevin Gannon-Hardrives, Inc., Chad Conklin and Matt Beck-Astech Corp., Mike Traut-Hardrives, Inc., Dan Marckel-1000 Friends of Minn., Craig Johnson.

Acting Chair Howard Johnson called the meeting to order.

- MINUTES –Lambert moved second K. Johnson minutes of March 16, 2009 be approved as distributed. Motion carried all voting for.
- SHERBURNE COUNTY SHERIFF'S DEPT. – Sgt. Dan Frank reported 198 incidents in March. 38 were traffic violations and also there are many daytime burglaries being committed. He urged all citizens to pay special attention to their home security as well as their neighbors.
- HARDRIVES INC. – Kevin Gannon requested amendment of existing CUP for portable asphalt plant to IUP (Interim Use Permit) for a portable asphalt and concrete mixing plant and expand the current hours of operations to 6 AM to 8 PM Monday through Saturday, and 8 PM to 6 AM 10 days per construction season. The plant is located on Vonco II LLC property. Neighbors have informed the board members they do not have any problems with the noise. K. Johnson moved second Lambert to forward favorable recommendation to county zoning. Motion carried all voting for.
- ENGINEER'S REPORT:
OAK CREST AND CEDAR CREST – letters have been sent to homeowners regarding drainage problems and lack of culverts as per the board's previous request.
- SIGN GRANT PROGRAM – Jeff Peterson explained the sign grant available from 3M. All townships must have a plan to upgrade signs by 2012, Stop signs and the like by 2015, and Street signs by 2018. Discussion on joining with other townships for the grant. Jeff also works with Santiago and Blue Hill and will check with them.
- TAX FORFEITED LAND IN DEER FOREST – The board declined to purchase Parcel 05-440-0010 as there is no benefit for the township. The clerk will inform the County Auditor/Treasurer.
- Lambert moved second K. Johnson to approve and sign the Sherburne County Public Works Dept. Digital Data License Agreement with Consultant (Community Grown Institute). The information is needed for Comprehensive Plan Update. Motion carried all voting for.
- K. Johnson moved second Lambert to adopt Resolution No. 09-02 to reinstate the Local Board of Appeal and Equalization. Motion carried all voting for.

- BID OPENING – At 7:30 p.m. H. Johnson opened bids for bituminous paving of four subdivisions in default of their Developer' Agreement. Bids were as follows:

Hardrives, Inc. - \$293,427.50

Astech Corp. - \$326,560.00

Omann Brothers, Inc. - \$409,647.00

Mid-Minnesota Hot Mix, Inc. - \$333,640.00

Knife River - \$289,557.00

The engineer's estimate was \$329,485.00. K. Johnson moved, second Lambert the contract be awarded to lowest bidder – Knife River – contingent on engineer's review of the bid results, and full execution of the default agreements prepared by the township attorney. Contract will not be awarded until all four agreements are signed by the developers. Voting yes: K. Johnson, H. Johnson. Abstaining: Lambert because of conflict of interest. Motion carried.

- PLANNING COMMISSION – Brad Wilkening gave update on zoning work being done. The zoning ordinance is finished and they are now working on the definition section, administration, subdivision regulations, building code process, and web page that is now on the 1000 Friends of Minnesota site. The comprehensive Plan update will be done later in the year. Alliance Auction's request for change from CUP to IUP has been discussed and there has been insufficient documentation from them to make a recommendation at this time.

- ROAD INSPECTION MEETING – The road inspection tour was set for May 16, 2009 at 7:00 a.m.

- SHERBURNE COUNTY COMPREHENSIVE PLAN UPDATE – Jon Sevald, County Planner, and Nancy Riddle, Zoning Administrator reviewed the plan, changes sought, and the board's opinions. Topics discussed included:

Comprehensive Plan Process and Timeline

Overview of 2004 Comprehensive Plan and 2007 Township Zoning Plan

Population Projections by State Demographer. Township population in 2006 was 4300, estimate by 2030 is 8000

Agricultural areas

Residential areas – township will keep at 2.5 acres per lot

Commercial and Industrial areas

Building placement

Landscape design standards

Permitted, Conditional, and Interim Uses in commercial and industrial

Highway Planned Unit Developments

Sand and gravel mining

They will bring results back to the townships for changes being made to the comprehensive plan. It was suggested that they incorporate the new township land uses into the county land use map.

- TREASURER'S REPORT – Next month will be Renee Marquette's last meeting at which time Tanya Danielson will take over as new treasurer. K. Johnson moved, second Lambert the treasurers report be approved as distributed. Carried all voting for.
- K. Johnson moved second Lambert warrants #10918 to 10942 in the amount of \$20,304.97 be paid. Motion carried all voting for.
- Lambert moved second K. Johnson meeting be adjourned. Carried all voting for.

**BECKER TOWNSHIP
ROAD VIEWING NOTES
MAY 16, 2009**

Present: Kyle Johnson, Mark Limpert, Howard Johnson, Jeff Lambert, Judy Shermak

Also present: T. Vander Eyk, Jeff Peterson

- 107th Street – Turn lane will be put in by county
- Pebble Creek Pines, 143rd Ave. – overlay in one or two years
- Pebble Creek North – needs overlay
- 107th St. & Greenview Rd. – shouldering needed, cut trees back by Stop Sign
- 103rd St. – crackseal?
- 97th St. – safety signs on curves
- Headwall Notice in paper once a year?
- Wildwood Acres – cul-de-sac damage by Mike Muellenbach's, excess sand used in winter
- West Beatrice – remove sand from ditch (Bauman's)
- East Beatrice & 82nd St. – remove brush, cut trees back by Stop Sign, shoulder both sides
- Majestic Knoll – 25 mph sign down on 91st St., brush needs cleaning up at 13562 136th Ave.
- Filly Trail – scheduled to be paved this year
- 87th St. – needs mill and overlay or reclaim and shoulders – schedule for 2010
- Eagles Landing – south of 7890 175th Ave. needs shoulder patch
- 94th St. – private road – Stop Sign needed
- Eagle Lake Estates – needs tree removal on 193rd Ave., repair pavement break up on 192nd St.
- Majestic Ponds – repair broken up pavement on cul-de-sac
- 185th Ave. – fix pothold by 118th St. (Snake River Estates)
- Deer Ridge – driveway in easement at cul-de-sac?
- Bridgeview – fill hole at 172nd and Riverview
- 122nd St. and 127th Ave. – dust suppression needed

Judy Shermak, Clerk

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May 20, 2009
Agenda

- Minutes of April 20, 2009 Regular Meeting
- Oath of Office – Tanya Danielson, Treasurer
- Sherburne County Sheriff's Dept.
- Planning Commission Update
- City of Monticello, Jeff O'Neill, City Administrator – update on grant and high-speed broadband project
- Monticello-Big Lake Hospital District – Bob Dawson and Marshall Smith – Annual Update
- Engineer's Report
- Supervisor Reports
- Treasurer's Report
- Approve payment of warrants
- Adjourn

MAY 18, 2009
BECKER TOWNSHIP BOARD MEETING

Becker Township Board met on Monday, April 20, 2009 at 7:00 p.m. at Becker Township Hall. Present: Mark Limpert, Howard Johnson, Kyle Johnson, Jeff Lambert, Renee Marquette, Tanya Danielson, Judy Shermak. Absent: Gary Hammer.

Also present: Sheriff Joel Brott, Sgt. Paul Behl-Sheriff's Dept., Brad Wilkening, T. Vander Eyk-Engineer, Todd Schendzielos, Mark Kolbinger-Citizen Newspaper, Kelli Neu-Becker City, Jeff O'Neill-Monticello City Administrator, Marshall Smith, CEO and Bob Dawson, Township Representative-Monticello Hospital District.

Acting Chair Mark Limpert ~~Johnson~~ called the meeting to order.

- MINUTES –H. Johnson moved second K. Johnson minutes of April 20, 2009 be approved as distributed. Motion carried all voting for.
- OATH OF OFFICE – Tanya Danielson was sworn in at the new Treasurer for Becker Township by Clerk Judy Shermak.
- SHERBURNE COUNTY SHERIFF'S DEPT. – Sheriff Joel Brott and Sgt. Paul Behl reported 182 incidents in March. 84 were traffic violations. Recent daytime burglaries have been put to an end at this time as they obtained a suspect vehicle description and used their automated calling system to alert residents. Firearm usage calls in the township have been received and Sgt. Behl stated firearms are permitted as long as people had adequate backing for their target practice. Cul-de-sac and their connections to other roads for public safety issues discussed. Sheriff Brott stated response time for them should not be an issue as all cars have on board computers with current GPS technology.
- PLANNING COMMISSION – Brad Wilkening discussed progress of the Planning and Zoning Commission. Definitions are being worked on, a representative from the Dept. of Labor and Industry will attend the next meeting to discuss building codes and fees. Implementation of the new planning and zoning ordinances is planned for this fall, possibly August or September.
- MONTICELLO CITY – Administrator Jeff O'Neill requested support from the township for the Fiber Optic project they have been working on to expand high speed broadband. Their plans are to include all of their hospital and school districts, which includes a portion of Becker Township. A Federal Stimulus Grant is available for as much as 80% of project cost, He asked for a resolution of support to be passed which the board will review. Limpert moved second Lambert to review and take action at the June 2009 meeting. Carried all voting for.
- MONTICELLO HOSPITAL DISTRICT – CEO Marshall Smith and Twp. Rep. Bob Dawson gave the yearly update on the hospital. Copy of the report is attached. FY 2008 saw increases in inpatients and outpatients. The board also decreased the tax levy by about \$200,000. Limpert informed them of his own recent experience and displeasure with his hospitalization and has tried to speak with someone there but has not gotten any response. Mr. Smith said he would personally look into the matter.
- ENGINEER'S REPORT:
 - ENGINEERING STANDARDS – Edge of lane radii at intersections with State, County or Township Roads is 40 feet and the township would like to change to 45 feet. Todd Schendzielos stated curbs around cul-de-sacs are not a problem for plowing as long as the Modified S Design is used. Eyk will attend a future Planning and Zoning meeting when standards are discussed.

ROAD IMPROVEMENT ESTIMATES – Reclaiming, surfacing, and embankment widening of 87th Street estimate is \$869,244.17. It is now a 22 ft. width with no shoulders. The board would like to plan the upgrade for 2010.

153RD AVE. AND 127TH ST. – These roads border the township and city. Kelli Neu, Becker City, stated the developer is required to bring the roads up to urban standards. The current owner (LLC) is trying to get the development in the city and the road finished, but may not be for a few years. State statute regarding shared roads discussed. The township would like to upgrade this year.

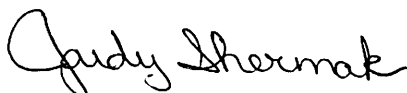
SHERBURNE AVE. (Veit road) Kelli said the city is not getting any gravel tax but is maintaining it as it is a city road.

SCENIC HILLS AND SCENIC HILLS II, HYTTSTEN CREEK AND HYTTSTEN CREEK II – Letter received from Craig Johnson's attorney, David Meyers, regarding developer agreements. The Scenic Hills developments need the final asphalt lift on the roads, approximate cost is \$130,000.00. Atty. Schieffer advised that a resolution could be passed to notify the developer of default of Developer's Agreement, developer can ask for a Special Public Hearing meeting, and if they decline the township can use the funds to complete the project. H. Johnson moved, second Lambert, to have Atty. Schieffer draft notification to developer of default and options available. Carried all voting for. H. Johnson moved second K. Johnson to amend above motion to include endorsement by the Chair and Clerk. Carried all voting for.

DUST CONTROL – all of 127th St., 122nd St., (off County 11) 153rd Ave. & 122nd St. (off County 24) will be done. Eyk with coordinate with Todd Schendzielos for grading and watering. The City will be billed half for bordering roads.

OTHER – reported on area where gravel is being mined that was viewed during the road tour. Viewed 94th Street, a private road, where residents are asking the township to help pave.

- SUPERVISOR REPORTS – Lambert reported on the Fire Board meeting. Discussion on funding of new fire trucks. Safety inspections are being done and they are proposing a \$100 fine for first offense, \$250 for second. Legal advice may be needed to implement the process.
- TREASURER'S REPORT – Tanya asked if Renee Marquette could be appointed Deputy Treasurer to help out if she is not available. H. Johnson moved, second K. Johnson to appoint Renee Deputy Treasurer. Carried all voting for. Six month and twelve month CD's are up for renewal. Tanya will check on interest rates. K. Johnson moved, second Lambert the treasurers report be approved as distributed. Carried all voting for.
- K. Johnson moved second Lambert warrants #10943 to 10967 in the amount of \$29,685.35 be paid. Motion carried all voting for.
- MONTICELLO CITY RESOLUTION – Limpert stated he reviewed the Resolution by Becker Township Board on Broadband Infrastructure and felt the board did not have to wait to take action. H. Johnson moved second Lambert to approve and adopt the resolution (copy attached). Carried all voting for.
- K. Johnson moved second H. Johnson meeting be adjourned. Carried all voting for.



Judy Shermak, Clerk

**RESOLUTION BY BECKER TOWNSHIP BOARD
ON BROADBAND INFRASTRUCTURE**

WHEREAS, Fiber Optic-based or "ultrafast" broadband service as a public need will continue to gain importance and is on the verge of becoming an "essential" service like water, sewer and transportation facilities and

WHEREAS, due to its emerging essential nature, universal business and citizen access to affordable ultrafast broadband is vital to preserving and promoting economic development and job creation and key to the long term economic health of the community, and

WHEREAS, ultrafast and affordable broadband provided to a high percentage of the population it serves will, over time, spur innovation improving efficiencies and effectiveness of Monticello School District, Monticello/Big Lake Hospital District, transportation systems, distance learning, health care, government and other community services in Sherburne and Wright counties, and

WHEREAS, a publicly-owned venture (FiberNet) is organized to deploy ultra-fast service to the Becker Township/Monticello area and this project:

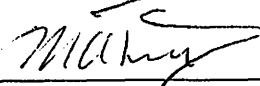
- (1) Is designed and engineered to serve every address in the service area;
- (2) Includes the goal of encouraging wide-spread adoption of this technology by underserved individuals, families and students through implementation of financial, social and educational outreach programs;
- (3) Features a sustainable business plan, a preexisting Central Office/Video Head-end building along with an 11-mile fiber backbone;
- (4) Is operated by an experienced company under the direction a Citizen Advisory Board; and

WHEREAS, federal economic stimulus funds are being made available for broadband infrastructure projects at an 80/20 match, and

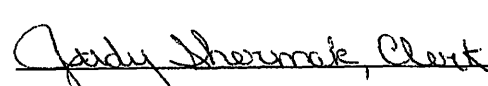
WHEREAS, the publicly operated communications system intends to provide services to all users on an equal basis regardless of jurisdictional location;

NOW, THEREFORE, BE IT RESOLVED that the Becker Township Board supports the City of Monticello in filing a Broadband Technologies Opportunities Program grant application with the National Telecommunications and Information Administration with the goal of obtaining funding to bring ultrafast broadband to the community, including service to that portion of Becker Township that is situated within the Monticello School District.

ADOPTED, this 18th day of May, 2009.

BY: 
Board Chair Mark Limpert

ATTEST:

BY: 

June 15, 2009
Agenda

- Minutes of May 18, 2009 Regular Meeting
- Sherburne County Sheriff's Dept.
- Planning Commission Update
- Safe Bait & Tackle, Steve Smallish & Sharon Tweet – Request approval of off-sale liquor license
- Alliance Auction, Rick Behrens – Amend existing CUP
- Fehn Construction – Request a CUP for temporary use – Crushing operation to recycle bituminous from adjacent roadway
- Engineer's Report
- Vonco Expansion discussion
- Tobacco License approval for Salida Depot and Holiday Station Store #598 per request by Sherburne County Auditor/Treasurer
- Supervisor Reports
- Treasurer's Report
- Approve payment of warrants
- Adjourn

JUNE 15, 2009
BECKER TOWNSHIP BOARD MEETING

Becker Township Board met on Monday, June 15, 2009 at 7:00 p.m. at Becker Township Hall. Present: Mark Limpert, Howard Johnson, Jeff Lambert, Tanya Danielson, Judy Shermak. Absent: Gary Hammer, Kyle Johnson.

Also present: Sgt. Dan Frank-Sheriff's Dept., Brad Wilkening, T. Vander Eyk-Engineer, Todd Schendzielos, Nick Ziegelmann-Becker City, Atty. Richard Schieffer, Richard Berens, Steve Smallish, Sharon Tweet, Gary Fehn.

Acting Chair Mark Limpert ~~Johnson~~ called the meeting to order.

- MINUTES –H. Johnson moved second Lambert minutes of May 18, 2009 be approved with correction-delete Johnson after Acting Chair Mark Limpert. Motion carried all voting for.
- SHERBURNE COUNTY SHERIFF'S DEPT. – Sgt. Frank reported 192 incidents in May and daytime burglaries are down.
- PLANNING COMMISSION – Brad Wilkening discussed progress of the Planning and Zoning Commission. A representative from the Dept. of Labor and Industry attended the June meeting and discussed building codes, fees, and the process of implementing them. Subdivision Ordinances and Administrative Provisions were reviewed with the planning consultant.
- SAFE DISCOUNT LIQUOR, 16484 149TH St. SE, Big Lake – Steve Smallish and Sharon Tweet requested approval of off-sale liquor license to be located in the adjoining suite of the tackle and bait shop. H. Johnson moved second Lambert to approve the Off-Sale Liquor License. Motion carried all voting for.
- ALLIANCE AUCTION – Richard Berens requested approval to amend existing Conditional Use Permit to an Interim Use Permit. H. Johnson moved second Lambert to forward favorable recommendation to county planning and zoning with comments: 1) Length of permit shall be 5 years. 2) Storage area to be fenced with earth tone slatted fence. 3) Shrubbery to be planted in front of fence along Highway 10 frontage. Motion carried all voting for.
- DENNIS FEHN CONSTRUCTION – Gary Fehn requested approval of Conditional Use Permit for temporary use for crushing operation to recycle bituminous from County Road 67 for two weeks while Becker City is installing sewer and water connections. H. Johnson moved second Lambert to forward favorable recommendation to county planning and zoning with comments: 1) Dust control be applied. 2) Hours of operation to be 7:00 a.m. to 7:00 p.m. Monday through Friday. Motion carried all voting for.
- TOBACCO LICENSE APPLICATIONS – Lambert moved second H. Johnson to approve renewal of tobacco license applications for July 1, 2009 to June 30, 2010 for Salida Depot and Holiday Station Store #598. Motion carried all voting for.

- **ENGINEER'S REPORT:**

Report attached.

H. Johnson moved second Lambert to grade 153rd Ave. and 127th St. this year in preparation of paving next year. Preliminary estimate for grading is \$100,000.00. Motion carried all voting for.

Subdivision paving – Craig Johnson did not sign the Default Agreements for Scenic Hills and Scenic Hills II. Attorney Schieffer sent him Notice of Default, time limit of 10 days expired, and Mr. Johnson did not ask for a hearing. Township can now use escrow account to finish road project. Mr. Schieffer has received correspondence from Mr. Johnson's attorney but has not gotten any response yet.

Mowing ditches will be done by Schendzielos Construction. He stated it would be completed by July 4th.

- **VONCO EXPANSION** – discussion on ruling for Viet that an Environmental Impact Statement (EIS) is not needed for the landfill expansion. Atty. Schieffer stated the County Attorney is handling the case as the County is the responsible government agency. He gave an update on the process so far and future township control when township planning and zoning is implemented. The township cannot challenge directly except as private citizens.
- **SUPERVISOR REPORTS** – Lambert reported the possibility of an irrigation pivot on the east side of County Road 11 and 137th St. being in the right of way. Eyk will inspect and report back to the board. Limpert will be attending the meeting in Monticello to discuss a second river crossing.
- **TREASURER'S REPORT** – H. Johnson moved, second Lambert the treasurers report be approved as distributed. Carried all voting for.
- Lambert moved second H. Johnson warrants #10968 to 10968 in the amount of \$71,430.65 be paid. Motion carried all voting for.
- Lambert moved second H. Johnson meeting be adjourned. Carried all voting for.



Judy Shermak, Clerk

Becker Twp Meeting; 16 Jun 09

Engineer's Report

- Review of 166th Circle, HIDDEN TREASURES

A resident along 166th Circle contacted the Twp regarding sand on the pavement and an extensive crack in the cul de sac pavement. Vander Eyk reviewed the roadway. The amount of sand was typical of the sand residue left over from winter maintenance operations throughout the Township. There is a significant diametrical crack in the cu de sac surfacing. It appears the crack may be due, in part, to the parking of a garbage truck in the cu de sac right of way by the property owner on the east side of the cul de sac.

Vander Eyk is to draft a letter to the owner advising him or her of the right of way violation. .

- Bid results – Filly Trail Bituminous Surfacing.

Bids were let by the County on 9 Jun 09 for various county wide paving projects. Filly Trail surfacing was one of the projects. A spread sheet showing the bid results was distributed to the Board. Hardrives submitted the low bid at \$225, 866.10. The Board passed a resolution to accept the contract values submitted by Hardrives. A copy of the resolution is to be submitted to Dan Knapek of the County Hwy Dept.

- 153rd Avenue and 127th Street

The Board agreed to proceed with the grading of 153rd Ave and 127th Str this year in preparation of paving next year. The preliminary estimate for the grading project is \$100,000.00.

- Dust Suppression

The Board was advised the MgCl₂ dust control was applied to 150th Ave, 127th Str and two segment of 122nd Str. on 4 Jun 09. A 12.15 percent portion of the total cost of the operation, including administration, blading and watering and the application is to be billed to the City being that half of 153rd and half of one segment of 122nd is within corporate limits.

- Subdivision Paving

The placement of the wearing course for PETERSON FARM, TURNQUIST FARMS, SECENIC HILLS AND SCENIC HILLS II is scheduled for the week of July 13th. The Board Chair and Clerk executed the Default Agreements for PETERSON FARM and TURNQUIST FARMS. In addition, a Supplemental Agreement for the name change of the PETERSON FARM Developer was also executed.

- Township Engineering Standards

The Township Engineering Standards are to be revised as follows:

1. Concrete curb & gutter is to be installed around the entire circumference of cul de sacs.
2. The edge of pavement radii and intersections is to be increased from 40 feet to forty five feet.
3. The reference to the Mn/DOT Construction Standards is to be updated.

The revised standards are to be approved at the July 09 meeting.

- Striping

Lester Olson provided a list of striping needs to Vander Eyk. Vander Eyk will coordinate striping operations with the County's current Striping Contractor.

- Pavement Borings

Vander Eyk received quotes for four borings along 87th Str and a boring on 192nd Str, in EAGLE LAKE ESTATES, from ITT and Braun Intertec. ITT was low bid at \$1,355.00. The borings were performed on 10 Jun 09. The Board is considering improvements to 87th Str and the borings are needed to develop a preliminary estimate. There appears to be a subgrade failure on 192nd Str. The boring there is needed to determine the extent of repair required. 192nd Str is under the Developer's Agreement warranty.

September 21, 2009
Agenda

- Minutes of August 17, 2009 Regular Meeting
- Sherburne County Sheriff's Dept.
- Becker Fire Dept., Chad Steffens, Monthly Report
- Becker Fire Dept. Relief Association, Russell Cox
- 7:30 p.m. Bid Opening for quotes – 192nd St., Eagle Lake Estates
- Planning Commission Update
 - Recommendation to approve Adopting the Town of Becker Zoning and Subdivision Ordinance
 - Recommendation to adopt Township Building Code Ordinance and set Fee Schedule
- Resolution – Sherburne County Auditor/Treasurer to disburse funds to Palmer and Clear Lake Townships Township Road & Bridge Aid
- Engineer's Report
- Supervisor Reports
 - Board of Equalization Training
- Treasurer's Report
- Approve payment of warrants
- Adjourn

SEPTEMBER 21, 2009
BECKER TOWNSHIP BOARD MEETING

Becker Township Board met on Monday, September 21, 2009 at 7:00 p.m. at Becker Township Hall. Present: Gary Hammer, Mark Limpert, Howard Johnson, Jeff Lambert, Kyle Johnson, Tanya Danielson, Judy Shermak. Absent: None.

Also present: Sgt. Dan Frank-Sheriff's Dept., Brad Wilkening, T. Vander Eyk-Engineer, Todd Schendzielos, Lester & Phyllis Olson, Todd Geske & Loren Kohnen-Metro West, Chad Steffens & Russell Cox-Fire Dept., Richard Schieffer-Twp. Attorney, Kelli Neu-Becker City, Frank Kasowski, Jr., Rod Dragsten, Clint's Excavating, Burski Excavating.

Chair Gary Hammer called the meeting to order.

- MINUTES –H. Johnson moved second Lambert minutes of August 17, 2009 be approved as distributed. Motion carried all voting for.
- SHERBURNE COUNTY SHERIFF'S DEPT. – Sgt. Frank reported 179 calls for services in August, that included 44 being traffic citations. He stated right of way obstructions are illegal and have been causing problems for ATV's as they are now allowed to ride in ditches. He reminded citizens to watch for residential burglaries.
- FIRE DEPARTMENT – Fire Chief Chad Steffens gave a 911 Response Detail report for August. He reviewed a vehicle purchase proposal for a new pumper with rescue body. Approximate cost \$550,000 - \$575,000. The board reiterated its position that now is not a good time to purchase considering the economy and tabled the purchase. The Fire Department Capital Improvement Plan was presented and reviewed. Chad asked for permission to start inspections in the township. The first to be done would be larger commercial properties. The board approved and asked for copies of the enforcement resolution for the October meeting.
- ROAD & BRIDGE AID QUALIFICATION – Diane Arnold, Sherburne County Auditor/Treasurer, requested Township authorization for Clear Lake and Palmer Townships to receive their 2010 road allotment. They did not qualify because levy amounts did not meet minimum requirements. It was discovered that in previous years the aid has been awarded to townships who actually did not meet the requirements and they are asking all townships to agree to disburse these funds in 2010. In the future their office will notify all townships of the required amount needed to be levied before their annual meeting. H. Johnson moved second K. Johnson to approve. Motion carried all voting for. Copy of authorization attached.
- BOARD OF APPEAL AND EQUALIZATION TRAINING - Lambert will be attending the training in Waite Park on Oct. 28, 2009.
- BID OPENING – at 7:30 p.m. bids were opened for a subgrade correction project along 192nd Street in Eagle Lake Estates. Bid amounts are: Burski Excavating-\$13,854.00, Clint's Excavating-\$12,888.25, West Branch Excavating-\$12,975.00, ML Schendzielos & Son-\$14,093.05. Limpert moved, second H. Johnson to accept Clint's Excavating bid contingent upon reviewal and recommendation of township engineer. Motion carried all voting for. Rod Dragsten, Eagle Lake Estates developer, asked about warranty and was informed it will be the standard one year.

September 21, 2009

Page 2

- **FIRE DEPARTMENT RELIEF ASSOCIATION** – Russell Cox gave an overview of the association and how it works. A recent audit revealed new funds needed to be added to cover benefits. They are currently at \$2900 per year. They will need another \$10,000 from the township to maintain the benefit for 2010. If the current benefit is not ratified it would be lowered to \$2200 per year. They will need action from the board by the end of the year. Concern of control of investments discussed. No action taken at this time.
- **PLANNING COMMISSION** – Brad Wilkening, Chair, reported the Public Hearings to consider the adoption of the Town of Becker Zoning and Subdivision Ordinance and Building Code Ordinance will be held on Monday, Sept. 14, 2009 at 7:00 p.m. Atty. Richard Schieffer reviewed the Joint Powers Agreement between the Town and City of Becker for Planning, Zoning and Subdivision Regulations. The JPB, according to statute, is the enforcement authority and has final say on zoning, with Town Board review and comment. Applications will be made to the Planning Commission, who will make recommendations to the JPB. The Town Board will then review. It also addressed items not in the Annexation Agreement. Appointing alternates is recommended. Atty. Schieffer will research on insurance availability. The JPB Agreement will be on the City's October 6th agenda. The Orderly Annexation Agreement will need to be revised when both entities adopt the JPB Agreement. They will have to adopt the Comprehensive Plan, Zoning Ordinance, and Building Code Ordinances.
- **JPB** – Limpert moved, second H. Johnson, to approve the Joint Powers Agreement Between the Town and City of Becker, Minnesota For Planning, Zoning and Subdivision Regulations, with language changes made regarding recommendations on page 2, subject to attorney review. (Copy attached) Motion carried all voting for.
- **ORDINANCES** – H. Johnson moved, second Limpert, to approve the adoption of the Town of Becker Zoning Ordinance. Motion carried all voting for. Limpert moved, second H. Johnson to approve the adoption of the Town of Becker Subdivision Ordinance. Motion carried all voting for. H. Johnson moved, second Lambert, to approve the adoption of the Town of Becker Building Code Ordinance and set Fee Schedule. Motion carried all voting for.
- **FEE SCHEDULE** – Loren Kohnen and Todd Geske reviewed the process Metro West uses when contracted for inspections. They currently contract with Becker City. Kelli Neu explained the City staff will issue permits and retain \$10.00 of the fee for incidental staff time spent. K. Johnson moved, second Limpert, to adopt Resolution Setting Fees and Charges for 2009 for the Town of Becker, and send joint RFP's (Requests for Proposals) with the City of Becker for 2010. Motion carried all voting for. (Copy attached). H. Johnson moved, second K. Johnson to contract with West Metro for services until January 1, 2010, when RFP's will be due. Motion carried all voting for.

- **ENGINEER'S REPORT:**

Report attached.

Lambert moved, second Limpert to release \$2,741.25 retainage fee to Astech Corp. for the 2007 spot seal-coating of 185th Avenue as it was completed on August 21, 2009. Motion carried all voting for.

H. Johnson moved, second Lambert, to approve Partial Pay No. 2 to M. L. Schendzielos & Son in the amount of \$43,111.57, for 127th St./153rd Ave. project. Motion carried all voting for. Residents regarding the concrete approach in right-of-way that was removed were advised that Township policy calls for bituminous drive replacement and policy changes should be discussed with the board. They are asking for a new concrete approach.

Limpert moved, second Lambert, to approve using the right-of-way permit presented by Eyk for future needs. Motion carried all voting for.

- **ROAD MAINTENANCE** – Schendzielos will mow ditches again. Trees on Garden Grove need trimming. Jeff Peterson will be contacted to trim. Discussed roads in plats to be snowplowed that were not previously done by township. Todd will apply class 5 gravel on 82nd St. (Anderson's) and other areas that need it.
- **TREASURER'S REPORT** – K. Johnson moved, second H. Johnson, to approve cashing the Certificate of Deposit of Dynamics Land, with a penalty of \$751.16, to pay for finishing the road, and approve the treasurer's report as distributed. Motion carried all voting for.
- K. Johnson moved second Limpert warrants #11040 to 11066 in the amount of \$79,532.41 be paid. Motion carried all voting for.
- **JPB BOARD APPOINTMENTS** – Limpert moved, second H. Johnson, to appoint Gary Hammer, Mark Limpert, and Brad Wilkening to serve on the Joint Powers Board. Motion carried all voting for. Limpert moved, second H. Johnson, to set October 12th or 13th as the first JPB meeting at Becker Township Hall, 7:00 p.m. Motion carried all voting for.
- Lambert moved second Limpert meeting be adjourned. Carried all voting for.



Judy Shermak, Clerk

Shermak

From: "T Vander Eyk" <eyk@bogart-pederson.com>
To: <jshermak@izoom.net>
Cc: <bkrwsp@sherbtl.net>
Sent: Monday, October 12, 2009 11:44 AM
Subject: Becker Twp 21 sep 09.doc
Becker Twp. Mtg., 21 Sep 09

Engineer's Report Minutes

- Spot seal-coating of 185th Avenue is complete. Seal-coating of 185th Avenue was completed under a 2007 contract with Astech Corp. Several areas of delamination were noted in late 2008. The Board decided not to release the five percent retainage of the contract until these areas were corrected. The delaminated areas were recoated on 21 Aug 09. Recommendation for the release of the Contract Retainage in the amount of \$2741.25 was made to the Board and approved.
- Earthwork and surfacing operations for the 127th Street/153rd Avenue project are complete. Recommendation for approval of Partial Payment No. 2, in the amount of \$43,111.57, to M.L. Schendzielos was made and approved. Work remaining includes final stabilization of the turf establishment and removal of the silt fence.
- A significant frost heave occurred on 98th Street in HYTTSTEN CREEK last winter. We suspect the frost heave was due to the accumulation of water and ice in the road's subgrade. Installation of an edge drain along the back of curb is recommended. John Herbst Construction provided an informal quote of \$4,400.00. The Board directed us to get a formal quote from the Township's Contractor for the work and get back to the members with the results.
- The Township's 2009 Striping Contract with AAA Striping is complete. The quantities have been verified and invoice value reviewed. Payment of the invoice is recommended.
- Filly Trail was paved and shouldered under a County Contract. The project is complete. Spreadsheets indicating certified quantities and payment amounts for Partial Payments No.'s 2 and 3 were presented to the Board for its review. The County will invoice the Township for the contract amounts by year's end.
- Bids for a subgrade correction project along 192nd Street in EAGLE LAKE ESTATES were opened at 7:30 P.M. Clint's Excavating, LLC, of St. Cloud provided the low bid of \$12,888.25. The bids were reviewed by us on 22 Sep 09 with no irregularities noted. Recommendation for Award of Contract to Clint's Excavating was submitted to the Board.
- A draft of a Utility Permit for work in Township Right of Way was presented to the Board for adoption. Passed.
- The Board was advised that Aaron Anderson had applied for a Utility Permit for open trenching of a power supply line through 82nd Street.
- A magnesium chloride application for dust suppression was applied along a portion of 127th Street and 122nd Street/150th Avenue by Dust Coating Inc. on 21 Aug 09. Half of the 122nd Street/150th Avenue right of way corridor is within the City of Becker's corporate limits. The Dust Coating invoice was reviewed for quantities and prices. A pro rata adjustment for the City's participation was provided to the Treasurer.

- The Board was advised that Mr. Hanson, a resident on the south side of 127th Street just west of CSAH 11, contacted us regarding removal of a portion of his concrete drive as part of the 127th Street/153rd Avenue project. The portion of concern is within the Township's Right of Way. We advised him the driveway approach will be replaced with bituminous surfacing under next year's surfacing project. He insisted on concrete. He was further advised Township policy calls for bituminous drive replacement within right of way limits and for policy changes he should discuss the issue with the Board.
 - The Board was advised that we were asked to review and comment on the draft of the Township's Subdivision Ordinance. Comments were provided to the Ordinance Committee on 26 Aug 09.
-

No virus found in this incoming message.

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Version: 8.5.421 / Virus Database: 270.14.11/2430 - Release Date: 10/12/09 04:01:00

TOWN OF BECKER
RESOLUTION 09-03

A RESOLUTION SETTING FEES AND CHARGES FOR 2009
FOR THE TOWN OF BECKER

WHEREAS, The Town of Becker requires fees to be paid for certain land use and related requests to pay for review and administration of said land use requests; and

WHEREAS, fees and charges shall be reviewed on an annual basis to determine if they meet the expense of providing the service; and

WHEREAS, a resolution is needed to set fees for the year 2009.

NOW THEREFORE BE IT RESOLVED that the following fees and charges shall be established September 21st, 2009 until updated.

LICENSING RELATED FEES

<u>Type of Fee</u>	<u>Amount of Fee</u>
Kennel Fee, Commercial	\$150.00
Kennel Fee, Residential	\$50.00
After the fact permit/application	Double the fee amount plus expenses
Black/White Paper Copies of Comp. Plan	\$75.00 plus tax
CD	\$10.00 plus tax
Paper Copies of Subdivision Ordinance	\$25.00 plus tax
CD	\$10.00 plus tax
Paper Copies of Zoning Ordinance	\$50.00 plus tax
CD	\$10.00 plus tax
Documentation Search (hourly)	\$27.00 Copies are additional
Photocopies (each)	\$0.25 (tax included)

PROPERTY RELATED FEES

<u>Type of Fee</u>	<u>Amount of Fee</u>
Conditional Use Permit	\$275.00
Interim Use Permit	\$275.00
Variance	\$275.00
Drainage Review	\$350.00
Erosion Control	\$100.00 Plus \$30.00 per lot
Minor Subdivision	\$275.00
Concept Plan	\$200.00
Preliminary Plat	\$400 plus \$10 per lot plus out of pocket costs for all consultant attorney time. All consultant engineer time that consumes more than 50% of the fee amount shall also be charged
Preliminary Plat after 2 staff reviews (each)	\$300.00 for each plus out of pocket costs for all consultant attorney time.

All consultant engineer time that consumes more than 50% of the fee amount will also be charged

*Subsequent hearings with new notice \$100.00

Final Plat \$200.00 plus out of pocket costs for all consultant attorney or consultant engineer time that consumes more than 50% of the fee charged.

Zoning Amendments \$200.00

Rezoning of Property \$300.00

Comprehensive Plan amendment \$300.00 plus out of pocket costs for all consultant time that consumes more than 50% of the fee charged.

Parkland Dedication Fee dedication) \$800.00 per new residential building (If no land

Special Meeting \$200.00*

*In addition to any fees

Sign Permit \$30.00

Temporary Sign Permit \$25.00 plus \$100.00 deposit

Street Vacation \$275.00

Street Opening Fee \$100.00 plus escrow

Building Permit Fees 1997 Fee Schedule

Staff and Land Use Decision Appeal \$275 plus out of pocket costs for all consultant attorney time.

Staff Reimbursement – Development Double loaded labor rate

Gary Hammer yes
Howard Johnson yes
Kyle Johnson yes


Mark Limpert yes
Jeff Lambert yes

Adopted this 21st day of September 2009

Attest:



Gary Hammer, Chairperson



Judy Shermak, Clerk

TOWNSHIP AUTHORIZATION

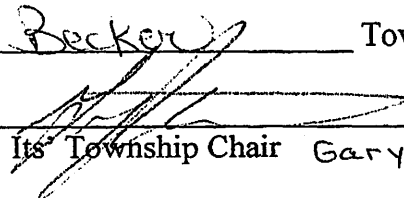
Becker Township acknowledges that the Townships of Clear Lake and Palmer did not qualify per Minn. Statutes 162.081 to receive their 2010 road allotment distribution based on their 2009 Road and Bridge Levy amounts not meeting the minimum requirement of 0.04835% of the previous years Market Value.

Due to no prior notification of this requirement, that they could lose these dollars, it is agreed upon by Becker Township to authorize the Sherburne County Auditor/Treasurer, to disburse the Township Road and Bridge Aid to the non-qualifying townships for the year of 2010.

Authorized on Sept. 21, 2009

Becker Township

By:


Its Township Chair Gary Hammer

By:

Judy Sherman
Its Township Clerk

Return form to Sherburne County Auditor/Treasurer
Diane Arnold by November 30, 2009

**RESOLUTION APPOINTING MEMBERS TO THE
BECKER JOINT PLANNING BOARD**

WHEREAS, on October 16, 2007, the Town of Becker and the City of Becker entered into a JOINT RESOLUTION FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF BECKER AND THE CITY OF BECKER, MINNESOTA; and

WHEREAS, pursuant to the said Resolution for Orderly Annexation the Town of Becker and the City of Becker have negotiated a JOINT POWERS AGREEMENT BETWEEN THE TOWN AND CITY OF BECKER, MINNESOTA FOR PLANNING, ZONING AND SUBDIVISION REGULATIONS; and

WHEREAS, the said Joint Powers Agreement creates a Joint Planning Board consisting of five members, three of whom are appointed by the Town and two of whom are appointed by the City; and

WHEREAS, the said Joint Powers Agreement provides for a three (3)-year term for Joint Planning Board members provided however, that the initial appointments of Town members shall be for a term of one (1) year, a term of two (2) years, and a term of three (3) years, respectively, in order to provide continuity of membership.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Becker as follows:

1. The following persons are hereby appointed to the Becker Joint Planning Board:

Gary Hammer, a term of three (3) years commencing with the first meeting of the Becker Joint Planning Board and ending on December 31, 2012;

Mark Limpert, a term of two (2) years commencing with the first meeting of the Becker Joint Planning Board and ending on December 31, 2011;

Brad C. Wilkening, P.E., a term of one (1) year commencing with the first meeting of the Becker Joint Planning Board and ending on December 31, 2010;

Approved by the Town of Becker this 21st day of September, 2009.

TOWN OF BECKER

BY: _____
Gary Hammer, Town Board Chair

BY: _____
Judy Shermak, Town Board Clerk

**October 19, 2009
Agenda**

- Minutes of September 21, 2009 Regular Meeting
- Sherburne County Sheriff's Dept.
- Becker Fire Dept., Chad Steffens, Monthly Report
- Beverly Aubol – Heritage Trails Third Addition
Recommendation to Sherburne County Zoning
- Planning Commission Update
- Nick Ziegelmann, Kelli Neu – Request for Proposals for Building Inspections
- Engineer's Report
- Supervisor Reports
- Treasurer's Report
- Approve payment of warrants
- Adjourn

OCTOBER 19, 2009
BECKER TOWNSHIP BOARD MEETING

Becker Township Board met on Monday, October 19, 2009 at 7:00 p.m. at Becker Township Hall.
Present: Gary Hammer, Mark Limpert, Jeff Lambert, Kyle Johnson, Tanya Danielson, Judy Shermak.
Absent: Howard Johnson.
Also present: T. Vander Eyk-Engineer, Todd Schendzielos, Chad Steffens-Fire Dept., Kelli Neu-Becker City, John Riebel-County Commissioner, Stanley Lumley, Russ Lumley.

Chair Gary Hammer called the meeting to order.

- MINUTES –Limpert moved second Lambert minutes of September 21, 2009 be approved as distributed. Motion carried all voting for.
- FIRE DEPARTMENT – Fire Chief Chad Steffens gave a 911 Response Detail report for September. He reported the Open House was very successful. ISO Rating (Insurance Services Organization) meeting is scheduled for November 10, 2009 and what is involved in obtaining a better rating for insurance purposes. Chad reviewed the Resolutions adopted by Becker City regarding Minnesota Uniform Fire Code and amending the penalties for administrative citations. Discussion on how inspections are done and assessing penalties. Resolutions for the township will be ready for next month's meeting.
- HERITAGE TRAILS - Beverly Aubol is platting Heritage Trails in Orrock Township with a small portion of one lot, approximately 200 feet, extending into Becker Township. The lot has two existing sheds and the proposed home building site is in Orrock Township. K. Johnson moved, second Lambert, to forward favorable recommendation to Sherburne County Zoning with no further comments. Motion carried all voting for.
- PLANNING COMMISSION AND JOINT POWERS BOARD – Limpert and Hammer reported on the first Joint Powers Board meeting. The Public Hearing for the JPB's adoption of the Comprehensive Plan and Zoning and subdivision ordinances will be held October 27, 2009. Planning Commission will be meeting the 2nd Monday of each month and will be starting to update the Comprehensive Plan. JPB will be meeting on the 4th Tuesday of each month. Lengthy discussion with Stan and Russ Lumley regarding concerns. Discussion included the JPB public hearing times, a petition from citizens to do the township's own planning and zoning was not received, commercial areas, landowner rights, what legal ramifications may be involved and is the township covered by insurance. They are concerned about lawsuits. The township attorney is researching insurance coverage. The 1000 Friends of Minnesota grant and how the funds are being used was explained to them. Discussion on JPB authority and according to state statute they are the enforcement authority and make final decisions, with planning commission and town board review and comment. Stan would like a PA system installed. Riebel stated he thought the process was happening too fast. Discussed floodplain and annexation issues.
- REQUEST FOR PROPOSALS – Kelli Neu presented and explained the RFP being sent out for building inspection services to be bid jointly with the City of Becker, with contracting being done separately. They will be due November 20th. K. Johnson moved, second Lambert, to approve RFP, and to strike language of "Fire Marshaling" if Steffens is within six months of Fire Marshall Certification, if not leave as is. (Copy attached) Motion carried all voting for.

October 19, 2009

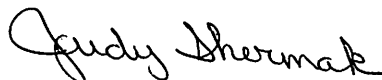
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- **ENGINEER'S REPORT:**
 - **MILEAGE CERTIFICATION** – Eyk reported 59.94 miles of township roads have been certified to the county.
 - **SIGNING** – Discussed using orange signs for private roads. The board asked him to contact Jeff Peterson to have the signs installed.
 - **DYNAMICS LAND** – Peterson Farm has 35 lots and 18 are occupied. The developer should be notifying the board and requesting the township take over maintenance of the roads. Their tax ID number has not been received yet.
 - A Stop Ahead sign was requested for 109th Avenue to 185th Avenue and will be installed.
 - **77TH STREET AT COUNTY ROAD 127** – The Township is maintaining approximately 500 feet. Adjoining property owner states it is not passable at times in the spring. Eyk inspected and reported it needs 180 tons of class five. The field approaches do not have culverts so there is a drainage problem. K. Johnson will inspect with Eyk this week.
 - **EAGLE LAKE ESTATES** – 192nd Street subgrade correction – work is in progress. \$15,000 to \$16,000 will be needed from developer's Certificate of Deposit to complete the project.
 - **HYTTSTEN CREEK** – 98th Street – Eyk was directed to have work done on the frost heave problem. Warranty funds will be used.
 - **BRIDGEVIEW** - \$6,423.76 remains in the account from interest accrual. The warranty has already been refunded and the treasurer was directed to refund the amount to the developer.
 - **TRANSPORTATION IMPROVEMENT PLAN** – Limpert asked Eyk to work on a rating plan for town roads.

- **TREASURER'S REPORT** – Hyttsten Creek has \$281.59 in liquid funds in their account and the board instructed Danielson to use warranty repair funds to pay for road repair for frost heave. K. Johnson moved second Limpert treasurer's report be approved as distributed. Motion carried all voting for.

- Limpert moved second K Johnson warrants #11068 to 11089 in the amount of \$36,986.99 be paid. Motion carried all voting for.

- Limpert moved second K. Johnson meeting be adjourned. Carried all voting for.


Judy Shermak, Clerk

**July 20, 2009
Agenda**

- Minutes of June 15, 2009 Regular Meeting
- Sherburne County Sheriff's Dept.
- Planning Commission Update
- Brent Van Lith, National Ataxia Foundation - Request approval of lawful gambling (pull tabs) at Salida Events Center
- Beverly Aubol, Heritage Trails Third – Preliminary Plat Review and recommendation to county planning and zoning
- BID OPENING – 7:30 – 127TH St. & 153rd Ave.
- JoAnn Johnson – Request approval to clean sediment out of pond in Hyttsten Creek
- *Eng Report*
• Supervisor Reports
- Treasurer's Report
- Approve payment of warrants
- Adjourn

JULY 20, 2009
BECKER TOWNSHIP BOARD MEETING

Becker Township Board met on Monday, July 20, 2009 at 7:00 p.m. at Becker Township Hall. Present: Gary Hammer, Mark Limpert, Howard Johnson, Jeff Lambert, Kyle Johnson, Tanya Danielson, Judy Shermak. Absent: None.

Also present: Sgt. Dan Frank-Sheriff's Dept., Brad Wilkening, T. Vander Eyk-Engineer, Todd Schendzielos, Kelli Neu-Becker City, Brent Van Lith, JoAnn Johnson, Gary D'Heilly, Charles Marohn.


Chair Gary Hammer called the meeting to order.

- MINUTES –H. Johnson moved second Limpert minutes of June 15, 2009 be approved as distributed. Motion carried all voting for.
- SHERBURNE COUNTY SHERIFF'S DEPT. – Sgt. Frank reported 168 calls for services in June. ATV restrictions get lifted on August 1st. They were asked to patrol Filly Trail until road upgrade is completed because of vandalism to stakes has occurred.
- NATIONAL ATAXCIA FOUNDATION – Brent Van Lith requested approval for a premise permit to conduct lawful gambling – pull tabs and meat raffles – at Salida Event Center, 16492 149th St. SE. Limpert moved second H. Johnson to approve. Motion carried all voting for.
- HERITAGE TRAILS THIRD – Gary D'Heilly, D'Heilly Engineering presented plans for Beverly Aubol for the Preliminary Plat Heritage Trails Third, 9 lots, 2 outlots, approximately 53 acres, located in both Becker and Orrock Townships. Discussion on driveway that enters Becker Township, approximately 900 feet, and is used for one home. They plan to upgrade to standards with no cul-de-sac as the development will be expanded in the future. A hammer head turnaround was suggested. Developer's Agreement would be needed and an agreement with Orrock Township to maintain the road would be pursued upon completion. Limpert moved, second H. Johnson to forward favorable recommendation to County Planning and Zoning with comments: 1) Temporary cul-de-sac at end of road. 2) All roads located within the township are built to Becker Township standards. 3) 15 inch culverts are installed. Motion carried all voting for.
- BID OPENING – 127TH St. & 153rd Ave. Road Upgrade – 7:30 p.m. – One bid from M. L. Schendzielos & Son, Inc. bid \$78,528.75. H. Johnson moved second Limpert to award bid to Schendzielos contingent on engineer's review and recommendation. Motion carried all voting for.
- PLANNING COMMISSION – Brad Wilkening and Charles Marohn, Consultant, updated the board on workshops and planning commission meetings. A schedule update was presented and reviewed (copy attached). Discussion on the cost to do the planning and zoning. Kelli Neu explained that applications to Planning and Zoning should cover all costs and governmental units are not allowed to make a profit for land use planning.
- BIDS – Two additional bids for 127th St. & 153rd Ave. were received, and it was found that the bids were advertised for 8:00 p.m. H. Johnson moved, second Limpert to rescind motion to accept Schendzielos bid and open additional bids. They were: Burski Excavating, Inc. - \$92,596.05, and Hardrives, Inc. - \$87,191.83. H. Johnson moved second Limpert to award the bid to Schendzielos and Son, Inc. at \$78,528.75. Motion carried all voting for.

July 20, 2009

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- JoANN JOHNSON – requested approval to remove sediment and clean the pond on the Drainage and Utility Easement on Block 1 Lot 10 Hyttsten Creek. Sherburne County has approved. Limpert moved, second K. Johnson, to approve. Voting for: K. Johnson, Limpert, Lambert, Hammer. Abstain: H. Johnson. Motion carried.
- ENGINEER’S REPORT:
Report attached.
Limpert moved second K. Johnson to approve updated Engineering Standards. Motion carried all voting for.
Subdivision paving – Craig Johnson did not sign the Default Agreements for Scenic Hills and Scenic Hills II. Attorney Schieffer sent him Notice of Default, time limit of 10 days expired, and Mr. Johnson did not ask for a hearing. Township can now use escrow account to finish road project. Mr. Schieffer has received correspondence from Mr. Johnson’s attorney but has not gotten any response yet.
Mowing ditches will be done by Schendzielos Construction. He stated it would be completed by July 4th.
- SUPERVISOR REPORTS – Limpert gave a report on the Monticello Bridge Crossing meeting he attended. H. Johnson reported on the quarterly meeting of Sherburne County Association of Townships.
- TREASURER’S REPORT – Danielson reported on the Township Workshop she attended. Withholdings were part of the training and upon discussion the board instructed her to continue payroll as is, as board members and employees are responsible for reporting their own. H. Johnson moved, second Lambert the treasurers report be approved as distributed. Carried all voting for.
- Limpert moved second Lambert warrants #10988 to 11015 in the amount of \$33,070.04 be paid. Motion carried all voting for.
- Limpert moved second Lambert meeting be adjourned. Carried all voting for.


Judy Shermak, Clerk

Becker Twp. Meeting, 20 Jul 09

Engineer's Report Minutes

- Becker Twp 2009 Paving Project, Filly Trail

The Class 5 tolerancing course was placed 17 Jul 09. Final shaping was completed today. The first course of bituminous is scheduled to be placed the 21st or 22nd of July. The second lift is to be placed upon completion of the County's CSAH 23 surfacing project, in a couple of weeks.

The project was staked last week in order provide survey control of the roadway centerline which is legally described and on record in the Courthouse. This past weekend, all of the stakes fronting agricultural fields were removed or destroyed. The County Sheriff has been so advised and a request to provide additional patrols on the road until the project is complete was made.

We recommend placement of 30 MPH advisory speed limit signs on each end of the sharp curve ½ mile south of CSAH 23.

- Subdivision Paving Projects

The wearing course for Scenic Hills and Scenic Hills 2nd was placed on 9 and 10 July. Turnquist Farms was paved on the 13th of July. Patching and wearing course construction for Peterson Farm is scheduled for the week of 27 July. Shouldering is yet to be scheduled. The quantities have been reasonably close to the contract values.

- Township Engineering Standards

The updated Township Engineering Standards were submitted to the Board for motion to approve. Approved.

- Irrigation System Assembly, 137th Street & CSAH 11

A sketch of a center pivot irrigation system installation in the northeast quadrant of the intersection of 137th Street and CSAH 11 was presented to the Board. The 12' x 12' concrete base slab encroaches onto township right of way approximately seven feet. The 137th Street right of way was established by Road Order in 1976. It's also possible the slab is partially within CSA 11 right of way.

Vander Eyk was directed draft a letter to the landowner advising him to move the assembly.

- 127th Street SE & 153rd Avenue SE Project

Bids were opened for the 127th Street SE & 153rd Avenue SE project. Three Contractors submitted bids, Burski Excavation, Hardrives, Inc and M.L. Schendzielos & Son. ML. Schendzielos & Son was apparent low bidder. The Board approved award of contract contingent upon review of the bids and recommendation for award by the Engineer.

The overhead power line running along the south side of 127th Street is scheduled to be moved to the north side. CONNEXUS is the utility.

We are still working on acquisition of a temporary slope easement along a property on the east side of 153rd Avenue. We have been advised by the finance company holding interest in the property that the easement is forthcoming.

- 166th Circle

A resident on 166th Circle is parking a garbage truck in the cul de sac right of way. Vander Eyk is to contact with the County Solid Waste Department to see if that type of right of way use is prohibited by ordinance.

- Township 2009 Striping

A map indicating striping needs for the Township, as recommended by Mr. Lester Olson, was provided to the Board. We are soliciting quotes for the work and will provide the Board with the results upon receipt.

- 192 Street Repair, Eagle Lake Estates

A preliminary estimate for repairs to 192nd Street of \$6,000 was presented to the Board. The repairs are to be paid for under the Developer's Agreement Warrant Period Security. Vander Eyk was directed to prepare plans and specs for the repair work and order the work out.

- 98th Street, Hyttsten Creek

A significant frost heave developed on 98th Street this past winter. The Developer indicated he would have it repaired, but has yet to take action. Vander Eyk was directed to draft a letter to the Developer's Attorney requesting information on the proposed repair methods and a schedule therefor.

- Hyttsten Creek Stormwater Pond.

The Homeowner at 14461 98th Street, was on the agenda seeking permission from the Board to dredge out a stormwater pond on her property. The pond is within a township drainage easement. She plans to remove sediment accumulation and stagnant water vegetation only. She will not alter the pond's stormwater management functions. We have reviewed the request and recommend approval.

- 185th Avenue Sealcoating, 2007

We have been in contact with the Contractor regarding repairs of the 185th Avenue sealcoating job. The repair work is scheduled for late July.

- 87th Street Reconstruction

An updated estimate for the reconstruction of 87th Street will be presented to the Board next month.

**August 17, 2009
Agenda**

- Minutes of July 20, 2009 Regular Meeting
- Sherburne County Sheriff's Dept.
- Planning Commission Update
- Safe Bait & Tackle, Sharon Tweet -Request approval of Tobacco License Application
- 94th Street Residents, Ryan Hubbard – Petition to request to review the possibility of improving and maintaining 94th St. SE
- Engineer's Report
- Supervisor Reports
- Treasurer's Report
- Approve payment of warrants
- Adjourn

AUGUST 17, 2009
BECKER TOWNSHIP BOARD MEETING

Becker Township Board met on Monday, August 17, 2009 at 7:00 p.m. at Becker Township Hall.
Present: Gary Hammer, Mark Limpert, Howard Johnson, Jeff Lambert, Kyle Johnson, Tanya Danielson, Judy Shermak. Absent: None.

Also present: Sgt. Dan Frank-Sheriff's Dept., Brad Wilkening, T. Vander Eyk-Engineer, Todd Schendzielos, Bill Morgan-Citizen Newspaper, W. Nolan Little, Scott Robbins, Jeff Proefrock, Troy Berning.

Acting Chair Mark Limpert called the meeting to order.

- MINUTES –K. Johnson moved second Lambert minutes of July 20, 2009 be approved as distributed. Motion carried all voting for.
- SHERBURNE COUNTY SHERIFF'S DEPT. – Sgt. Frank reported 200 calls for services in July, of which 89 being traffic stops. ATV's are now allowed to ride in ditches. He reminded citizens to call and inform the Sheriff's Dept. when they will be out of town.
- Chair Gary Hammer arrived and resumed the Chair duties.
- PLANNING COMMISSION – Brad Wilkening, Chair, reported the Planning Commission is on schedule, zoning ordinance is almost completed. Newsletter and questionnaire will be mailed to all residents, approximately 1100 addresses. The Township Open House and Picnic will be September 12, 2009 from 9:00 a.m. to 1:00 p.m. An October 1, 2009 implementation date is still planned for the township to take over planning and zoning of the township.
- TOBACCO LICENSE – Sharon Tweet requested approval of Tobacco License for SAFE Discount Liquor, Inc., Steven Smallish, Owner. Limpert moved, second H. Johnson to approve. Motion carried all voting for.
- 94TH STREET RESIDENTS – W. Nolan Little, Scott Robbins, Jeff Proefrock, and Troy Berning presented a Petition to investigate the improvement of 94th St. SE, Becker Township, MN. They are requesting information regarding improving and maintaining 94th St. Their properties abut the road which is not a township road and therefore not maintained. They were interested in having the gravel road improved or having it paved, and the cost that would be assessed to them. It was pointed out by the board a cul-de-sac is close and coming from the other direction and would it be possible to connect it to their road. Residents would prefer not to. The board stated the road would have to be upgraded to township standards which includes paving. The underlying issues include flag lots and four easements. Todd Schendzielos, Schendzielos & Son, gave them options for services if they continue to maintain it. The board stated survey work would be needed along with tree removal. Curb may be an option if storm sewer is not needed. Township policy is to build to standards.
- ENGINEER'S REPORT:
 - Report attached.
 - Limpert will work with Bogart & Pederson on a transportation plan.
 - Quotes for road striping were received from AAA Striping Service Co. for \$3,032.40, and Traffic Marking Service Inc. for \$3,348.00 This does not include Filly Trail which will add cost of approximately 26 gallons of paint. The board authorized the low bid and have AAA Striping Service Co. perform the work.

August 17, 2009

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H. Johnson moved, second K. Johnson to approve Partial Payment No. 1 to Knife River for the 2009 Subdivision Paving Projects in the amount of \$280,168.82. Carried all voting for.

K. Johnson moved, second H. Johnson to approve Partial Payment No. 1 to M. L. Schendzielos & Son for the 127th St./153rd Ave. Project in the amount of \$26,935.59. Carried all voting for.

- SUPERVISOR REPORTS – K. Johnson updated the board on the Fire Board Meeting. Fire Chief Steffens has presented plans to the city, but not the township yet. Lambert has reiterated to Chad the importance of attending town board meetings to update them. Hammer has talked with the Fire Chief, Becker City Mayor and City Administrator regarding the purchase of a new \$750,000 truck. Consensus has been that this is not a good time for a new purchase.
- TREASURER'S REPORT – Danielson requested approval to cash Certificate of Deposit of Peterson Farm to pay for finishing the road. There will be a penalty. Limpert moved, second K. Johnson to approve cashing the certificate and approve the Treasurer's Report as distributed. Carried all voting for.
- H. Johnson moved second K. Johnson warrants #11016 to 11039 in the amount of \$315,052.06 be paid. Motion carried all voting for.
- Limpert moved second Lambert meeting be adjourned. Carried all voting for.



Judy Shermak, Clerk

Becker Twp. Meeting, 17 Aug 09

Engineer's Report Minutes

- 87th Street Improvements

Estimates for improvements to 87th Street were provided to the Board. 87th Street is approximately two miles in length with 22 feet of bituminous surfacing virtually no shoulders. Reclamation of the existing pavement followed by resurfacing is estimated to cost \$403,100.00. Embankment widening to the Township's standard section, reclamation and resurfacing is estimated at \$868,200.00. A discussion by the Board followed. Mr. K. Johnson felt it was more important to prioritize the surfacing of the remaining gravel roads in the Township before addressing extensive rehabilitation of the existing blacktopped roads. Mr. Limpert suggested meeting with Jon Bogart and preparing a capital improvements plan to address long range planning for road improvement projects in the Township. Vander Eyk is to arrange the meeting.

- Striping Quotes

Quotes for striping services were provided by Traffic Marking Service Inc and AAA Striping Service Co. AAA Striping Service was low bid. The Board authorized the work upon completion of the wearing course construction on Filly Trail.

- 137th Street Right of Way Encroachment

The letter to Ewing Farms regarding a right of way encroachment along 137th Street was briefly discussed. The Board is awaiting a response.

- Heritage Trails Third

It appears the Developer of Heritage Trails Third has revised the plat layout to limit roadway construction to the Orrock Township portion of the plat only.

- 2009 Subdivision Paving Projects

Partial Payment No. 1 to Knife River for the 2009 Subdivision Paving Projects in the amount of \$280,168.82 was authorized. The paving and shouldering operations are complete.

- 127th Street / 153rd Avenue Improvements Project

Partial Payment No. 1 to M.L. Schendzielos & Son for the 127th Street / 153rd Avenue Project in the amount of \$26,935.59 was authorized. Grading and cross haul is complete. The work remaining includes culvert installation, Class 5 surfacing, slope dressing and turf establishment.

- Filly Trail

Filly Trail is being surfaced under a County administered contract. A breakdown of the quantities certified to date and submitted to the County was provided to the Board. The value of the work is \$124,902.39. The wearing course and shouldering is scheduled for the end of August.

- HYTTSTEN CREEK

A letter to the Attorney representing the Developer of HYTTSEN CREEK regarding a frost heave on 98th Street was copied to the Board. Repair of the heave would fall under a warranty repair requirement. There has been no response to date.

- 192nd Street Subgrade Repair

We are still working on the 192nd Street, (EAGLE LAKES ESTATES), quote request. We will have quotes to the Board next month.

November 16, 2009
Agenda

- Minutes of October 19, 2009 Regular Meeting
- Sherburne County Sheriff's Dept.
- Becker Fire Dept., Chad Steffens, Monthly Report
- Chris Gustafson – CUP for a Business selling Motor Vehicles and Trailers
Recommendation to Sherburne County Zoning
- Planning Commission Update
- Engineer's Report
- Sale of Tax Forfeited Land – Deer Forest Outlot A- County Auditor/Treasurer
Approve classification of Non-Conservation Land
Approve or Deny sale of property to adjacent property owners by closed bid
- Supervisor Reports
- Treasurer's Report
- Approve payment of warrants
- Adjourn

NOVEMBER 16, 2009
BECKER TOWNSHIP BOARD MEETING

Becker Township Board met on Monday, November 16, 2009 at 7:00 p.m. at Becker Township Hall. Present: Gary Hammer, Mark Limpert, Jeff Lambert, Kyle Johnson, Howard Johnson, Tanya Danielson, Judy Shermak. Absent: None.

Also present: Sgt. Dan Frank-Sherburne County, T. Vander Eyk-Engineer, Todd Schendzielos, Chad Steffens-Fire Dept., Kelli Neu, Brad Wilkening.

Chair Gary Hammer called the meeting to order.

- MINUTES –Lambert moved second K. Johnson minutes of October 19, 2009 be approved as distributed. Motion carried all voting for.
- SHERIFF’S DEPT. – Sgt. Dan Frank gave monthly report stating car/deer accidents were up and reports of fraud mailings. There were 152 calls for service for the month of October that included 31 traffic tickets.
- FIRE DEPARTMENT – Fire Chief Chad Steffens gave a 911 Response Detail report for October. ISO Rating (Insurance Services Organization) assessment has been completed and they are waiting for the rating. Chad reviewed the Resolutions adopted by Becker City regarding Minnesota Uniform Fire Code and amending the penalties for administrative citations. Inspections will be left as is. The township will be getting a new building inspector, at which time the issue will be revisited and any necessary changes made.
- CHRIS GUSTAFSON – Conditional Use Permit request for a business selling motor vehicles and trailers was reviewed. No one was present representing the request. The property is located at 14747 165th Ave. SE, Becker. Brad Wilkening advised of the Planning Commission findings. Limpert moved, second H. Johnson, to make the following recommendations to Sherburne County Zoning:
 1. Pave the area vehicles, trailers and materials will be stored.
 2. Require a screening and landscape plan for the site.
 3. Establish parking area lighting for safety.
 4. Make building improvements to all sides of the structure facing public roadways including at least 30% brick or stone per the newly established architectural standards of Becker Township.
 5. Stormwater management plan is needed.
 6. Properly cap any abandoned well.
 7. A modified right turn lane be constructed for the access that aligns with the Holiday Station, and the existing access located approximately 175’ feet south be removed by excavation, as per Sherburne County Public Works comments.
 8. The board strongly recommends an Interim Use Permit. This property is better suited for short term use as it is located within the interchange area for the future TH10/Big Lake bypass.
- PLANNING COMMISSION – Brad Wilkening reported on the discussion of issues and goals for the Township that will be included in the Comprehensive Plan Update. There were four citizens from the public who helped provide input. The Joint Planning Board will be meeting at 6:30 p.m. next Tuesday, Nov. 24th for a public hearing on the Eccles CUP Application.

November 16, 2009

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- ENGINEER'S REPORT:
 - HYTTSTEN CREEK – 98TH STREET – Limpert moved, second H. Johnson to approve Partial Pay of \$4,351.00 to M.L. Schendzielos & Son for repair of frost heave. Carried all voting for.
 - EAGLE LAKE ESTATES – 192ND STREET – Limpert moved, second Lambert to approve Partial Pay of \$10,704.34 to Clint's Excavating, LLC for subgrade correction. Carried all voting for.
 - NPDES Notice of Termination received from MPCA for 127th Street & 153rd Ave. construction project.
 - CAPITAL IMPROVEMENT AND TRANSPORTATION PLAN – Jon Bogart is working on it and will have a report next month.
 - 77TH STREET AT COUNTY ROAD 127 – The Township is maintaining approximately 500 feet. Adjoining property owner states it is not passable at times in the spring. Eyk inspected and reported it needs 180 tons of class five and a culvert installed. He and Todd Schendzielos will meet at site to determine repairs. Minimum Maintenance Road requirements will also be researched.

- DEER FOREST TAX FORFEITED LAND – Approval of classification of non-conservation lands and sale of Outlot A in Deer Forest was requested by Sherburne County. Land was forfeited to the State of Minnesota for non-payment of taxes. H. Johnson moved, second K. Johnson to approve. Motion carried all voting for.

- SUPERVISOR REPORTS – K. Johnson reported Snake River Development has been turned back to the developer's bank and asked how it may affect the township. If ownership changes a supplemental agreement is made to the Developer's Agreement to change ownership.

- TREASURER'S REPORT – H. Johnson moved, second Limpert to cash in the following CD's: 1) Township CD #16586, due November 20th, in the amount of \$23,087.39 and apply to the General Revenue Fund. 2) Hyttsten Creek CD #60548 in the amount of \$4,939.08. Penalty is \$43.08. 3) Eagle Lake Estates CD #60549 in the amount of \$13,118.78. Penalty is \$114.44. Motion carried all voting for. Limpert moved, second H. Johnson treasurer's report be approved as distributed. Motion carried all voting for.

- K. Johnson moved second H Johnson warrants #11090 to 11114 in the amount of \$266,209.09 be paid. Motion carried all voting for.

- H. Johnson moved second Limpert meeting be adjourned. Carried all voting for.



Judy Shermak, Clerk

**December 21, 2009
Agenda**

- Minutes of November 16, 2009 Regular Meeting
- Sherburne County Sheriff's Dept.
- Becker Fire Dept., Chad Steffens, Monthly Report
- Planning Commission Update
- Engineer's Report
- Ordinance 09-03 Providing for the Regulation of Adult Establishments in the Town of Becker
- Building Inspections – Requests for Proposals – Kelli Neu
- Supervisor Reports
- Treasurer's Report
- Approve payment of warrants
- Adjourn

Special Meeting with Becker City Council – Fire Department

Special Meeting Official Notice

The Becker City Council / Becker Town Board will hold a special joint meeting on Monday, December 21, 2009 at 7:00 pm at the Becker Town Hall located at 12165 Hancock Street to discuss the Becker Fire Department, City/Town Authority, and the Joint Powers Agreement.

Judy Stornak, Clerk

Nancy L. Fiereck, CMC/MMC
City Clerk

DECEMBER 21, 2009
BECKER TOWNSHIP BOARD MEETING AND
SPECIAL TOWN BOARD/CITY COUNCIL JOINT MEETING

Becker Township Board met on Monday, December 21, 2009 at 7:00 p.m. at Becker Township Hall.
Present: Gary Hammer, Mark Limpert, Jeff Lambert, Howard Johnson, Tanya Danielson, Judy Shermak.
Absent: Kyle Johnson

Also present: Becker City Council Members-Mayor Dave Graning, Kevin Rieland, Phil Knutson, Roger Bigalke and Tracy Bertram, City Clerk Nancy Fioreck, City Administrator Greg Pruzinske, T. Vander Eyk-Engineer, Todd Schendzielos, Chad Steffens-Fire Dept., Kelli Neu.

Chair Gary Hammer called the meeting to order.

- MINUTES –Lambert moved second H. Johnson minutes of November 16, 2009 be approved as distributed. Motion carried all voting for.

- FIRE DEPARTMENT – Fire Chief Chad Steffens gave a 911 Response Detail report for November.

- PLANNING COMMISSION – Kelli Neu reported the Gustafson Trailer and Auto Sales IUP was approved, with conditions. The Thurber IUP request for home based business was continued as he may have a change of plans and the zoning may need to be changed from General Rural to Commercial. The Sign Ordinance was recommended for adoption by the Joint Planning Board with changes adapted to the township. The Adult Establishment Ordinance was also recommended for adoption. She received a complaint from a former renter at 9830 155th Ave. SE stating the house should be condemned. H. Johnson moved to adopt Ordinance 09-04 regulating adult establishments. Discussion held and Lambert stated he was not comfortable with it and would like more time to study it. Motion died for lack of second. H. Johnson moved, second Lambert to table action until the January meeting. Carried all voting for.

- ENGINEER'S REPORT:
 - 127TH ST. SE AND 153RD AVE. SE – Limpert moved, second Lambert to approve Partial Pay No. 3 of the 5% Retainage in the amount of \$3,696.60 to M.L. Schendzielos & Son for road construction. Carried all voting for.
 - EAGLE LAKE ESTATES – 192ND STREET – H. Johnson moved, second Lambert to approve Partial Pay No. 2 of the 5% Retainage in the amount of \$563.39 to Clint's Excavating, LLC for subgrade correction. Carried all voting for.
 - 2010 ROAD PROJECTS – The County needs figures for road projects by mid-January if the township would like to be included in their bidding. The paving figures for 153rd Ave. SE and 127th St. SE were reviewed. Approximately three-fourths of the road is township and the rest is city that borders a development. The city requires the developer to upgrade urban roads when the property is developed so they will not bid on the project. Eyk will submit figures for the township portion to the county.
 - CAPITAL IMPROVEMENT AND TRANSPORTATION PLAN – Reviewed the Proposal for Preparation of a Becker Township Capital Improvements Plan for the Years 2011 through 2016. (Copy attached) The engineering fee of the plan is estimated not to exceed \$7,000. Eyk will prepare spreadsheets with grades to use as a guide for the spring road viewing and the board will then start the process of developing the plan.

- Limpert moved, second H. Johnson to recess the town board meeting and continue after the special meeting. Motion carried all voting for. Hammer called the joint meeting to order at 8:00 p.m. Greg Pruzinske led the discussion with the agenda focused on fire department issues. Items discussed:
 - **JOINT POWERS BOARD REPRESENTATION** - In the past elected officials and residents of the Township and City have served. The overall consensus was that representation eligibility will not be changed, board and council will appoint their respective representatives but it was preferred to have elected officials mainly because of the reporting back to their board/council. Santiago Township is contracting for their fire protection and they do not have any ownership or representation. They usually have someone attend the meetings. Discussed the tiebreaker vote or split vote, as there are four members of the JPB there is no tie breaking vote. It was felt that this would indicate those issues need more debate and discussion should continue until a consensus can be reached. Budget process and spending tax money discussed. It was felt the JPB would handle normal budget but costly items and equipment requests should be brought before the respective boards. Alternate representation and absence of board members at meetings discussed. Currently there are no provisions for them but the board and council do ask another member to step in for them when possible. Treasurer position is held by Deputy City Clerk Marilyn Danielson. Both board and council felt her position as a neutral party is very beneficial. Chad Steffens explained the process for paying bills.
 - **FIRE CHIEF** - The Fire Constitution & Bylaws have verbiage written before a full time fire chief position was instituted. Discussed adding wording for full time chief and keep appointment wording regarding the chief appointing officers. Steffens recommended the next person in command takes over until a new chief is hired. Criteria for training and qualifications have just been instituted.
 - **MEETINGS** - Calling an emergency meeting and special meetings discussed as there are no provisions for this. Steffens stated special committees have included a truck committee. Special committees may include other people who have expertise in those areas, not just Fire Board members.
 - **BUDGET PROCESS** – Fire Board accountability discussed. The two boards feel it is necessary and advantageous to meet at least once a year to discuss fire department and any other issues that arise. Discussed times when budget should be presented. The Township levy for FY 2011 will be set at the Annual Meeting in March, 2010 and has to be certified to the County by September. The City needs the budget no later than July 1st. Steffens will coordinate with respective boards for a possible June presentation of budget. Truck and other CIP purchases discussed. Bonding for truck purchases could be expensive in addition to the original purchase.
 - **CONSTITUTION AND BYLAWS AMENDMENT** – Discussion on rewriting the contract and setting up guidelines for fiscal decisions and including them in the Constitution and By-Laws. Assistant Administrator/Community Development Director Kelli Neu will work on rewriting the contract.
 - Chair Hammer adjourned the Special Meeting at 9:45 p.m.
- **SUPERVISOR REPORTS** – Limpert reported on the Green Acres informational meeting he attended held by the County Assessor.

- **TREASURER'S REPORT** –Tanya requested information on various funds. The board directed her to use the Road Maintenance Fund for dust control until gone. Use the Cul-de-sac fund for snow events until gone. Use the Sealcoat fund for sealcoating until gone. These funds can then be closed. Use the Fines & Fees fund for road striping and signs. The board approved cashing CDs for Hyttsten Creek - \$1,000 (\$982.40 to liquid funds and \$17.60 for penalty) and Eagle Lake Estates \$1,275.45 (\$1,253.39 to liquid funds and \$\$22.06 for penalty) to pay charges for road work performed. Lambert moved, second H. Johnson treasurer's report be approved as distributed. Motion carried all voting for.
- Kelli Neu gave an update on the Building Inspection Interviews held by the Township and City representatives. Limpert moved, second Lambert to approve Resolution 09-04 approving entering into a contract for building inspection services with Metro West Inspection Services, Inc. Motion carried all voting for.
- H. Johnson moved second Lambert warrants #11115 to 11138 in the amount of \$87,954.50 be paid. Motion carried all voting for.
- Limpert moved second H. Johnson meeting be adjourned at 10:00 p.m. Carried all voting for.



Judy Shermak, Clerk