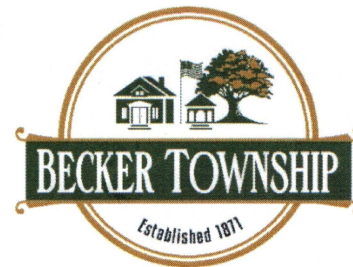


Becker Town Board Meeting  
Regular Meeting 7:00 p.m.  
Monday, April 19, 2021  
12165 Hancock Street

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**Attending,**

- ❖ In Person Supervisors: Chair Brian Kolbinger, Vice Chair Brad Wilkening, Luke Babler, Robin Boros, Joe Danielson
- ❖ In Person Clerk/Treasurer: Treasurer Tanya Danielson, Clerk Lucinda Messman, Deputy Clerk Fran Seeley
- ❖ In Person Others: Kelli Bourgeois – Twp. Attorney, Wes Davis – Twp. Engineer, Tony Wruck – Twp. Contractor, Mary Roe – City of Becker Planner
- ❖ Zoom Attendees: Mark Kolbinger – *The Patriot*, Sgt. Frank – Sherburne County Sheriff's Department

Tuesday, April 7, 2020 The Becker Town Board passed Resolution 2020-15: A Resolution Establishing the Ability Conduct Open Meetings by Telephone. The Town Board of Becker Township, Sherburne County, Minnesota, will utilize teleconferencing as requested so long as a health pandemic exists or a peacetime emergency is declared under Minn. Stat. Ch. 12.

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Meeting called to order at 7 pm. Clerk took roll call of those in attendance. Quorum verified by Chair Kolbinger.

Pledge of Allegiance

Consent Agenda Items Approved

- Minutes
  - Local Board of Appeal & Equalization April 6, 2021 minutes
  - March 15, 2021 Regular Town Board meeting minutes
- Upcoming electronic fund transfers/automatic payments approval:
  - City of Becker – water/sewer
  - Xcel Energy – gas/electric
  - Ace Disposal – Twp. maintenance
  - Advanced Disposal – container at Town Hall
  - Midco Business – phone and internet
  - Upcoming EFTS related to payroll: Federal taxes, State taxes and PERA - mandated rates,
  - State of MN for building permit surcharge fees
- Correspondence acknowledgement:
  - Revised Private Kennel Permit
  - Sherburne History Center April 2021 Newsletter
  - City of Becker Newsletter Spring 2021
  - Records Destruction Report 3/25/2021
  - Bridgeview Park Reserve Improvement Notice
  - Midwest Asphalt Maintenance
  - Sherburne County Gopher Bounty Resolution

**Motion to approve consent agenda by Wilkening. Second by Danielson. Motion carried all voting in favor.**

**Motion to approve a regular agenda with after adding 67<sup>th</sup> Street, discussion of request to place house in drainage and utility easement by Babler. Second by Boros. Motion carried, all voting in favor.**

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**Sheriff's Report – Sgt. Frank**

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- 159 Calls for service
- 29 traffic stops
- Watch mail and calls – gift card and unemployment fraud occurring right now

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**Public Hearing: Franchise Ordinance**

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Public hearing called to order. This draft ordinance has been reviewed by the Town Board multiple times and the Town Attorney has worked out changes with Midcontinent's Attorney. Midcontinent has approved this final version, Town Attorney as well.

Call for comments – none

**Motion to close the public hearing by Wilkening, second by Danielson. Motion carried, all voting in favor.**

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Discussion – this has been in the works, good to go at this point. **Motion to Approve Ordinance 2021-02: An Ordinance Granting A Cable Television Franchise To Midcontinent Communications, Inc., Its Successors And Assigns, To Construct, Own, Operate And Maintain A Cable System In The Township Of Becker, Minnesota; Setting Forth Conditions Accompanying The Grant Of A Franchise by Babler. Second by Boros. Motion carried, all voting in favor.**

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**Open Forum**

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- **Hettwer, Metes & Bounds Subdivision of Parcel ID 05-121-1100** [full text on file]
  - Mark & Susan Hettwer applied for a Metes & Bounds Subdivision to split 20 acres off their 77.29 acre parcel.
  - Survey has been completed, along with proper application and legal descriptions
  - Board viewed aerials and survey
  - County Engineer has approved driveway access to the new parcel
  - All standards are met, two conditions included
    - A copy of this survey shall be recorded at the Sherburne County Records Office; and
    - An eight-hundred dollar (\$800) park dedication fee shall be submitted to the Township offices.
  - Draft Resolution 2021-11 presented to the Town Board for consideration
  - **Motion to approve the subdivision via Resolution 2021-11: A Resolution Providing for a Metes and Bounds Subdivision by Wilkening. Second by Boros. Motion carried, all voting in favor.**

**Engineer's Report – Wes Davis**

- Quotes were opened for projects on the Garden Grove Road and Georgia Circle Chip-seal on Friday, April 16, 2021.

<b>Quote provided by</b>	<b>Amount</b>
Allied Blacktop Company	\$ 73,998.66
Asphalt Surface Technologies Corporation a.k.a. Astech Corp.	\$ 83,815.29



- The quote opening for 164<sup>th</sup> Ave SE Reconstruction was not completed due to project changes. Engineer notified applicants and no quotes were received.

### 142<sup>nd</sup> Street Reconstruction

Quote provided by	Bond/Cashier's Check	Amount
Omann Contracting Companies	Bond	\$ 91,641.71
Wruck Excavating	Bond	\$ 83,080.00
Helmin Construction	Bond	\$ 62,159.05
TS Dirtworks	Cashiers Check	\$ 59,174.45

- After the Engineers review of quantities, the following are recommended for contracts:
  - 1) For 142<sup>nd</sup> Street Reconstruction: TS Dirtworks was low quote at \$59,174.45
  - 2) For Garden Grove/Georgia Circle/127<sup>th</sup> Street: Allied Blacktop Company was low quote at \$73,998.66
- **Motion to award the contract for Garden Grove/Georgia Circle/127<sup>th</sup> Street for \$73,998.66 to Allied Blacktop Company by Danielson. Second by Boros. Motion carried, all voting in favor.**
- **Motion to award the contract for 142<sup>nd</sup> Street Reconstruction to TS Dirtworks for \$59,174.45 by Babler. Second by Danielson. Motion carried, all voting in favor.**
- 164<sup>th</sup> quotes are coming next, still working to resolve options.
- Gravel - additional
  - 67<sup>th</sup> street, the east portion of the 2 mile stretch estimated at \$91,800. This is for 1 mile of 6" gravel. **Motion to move forward with this quote by Wilkening. Second by Danielson. Motion carried, all voting in favor.** Clerk to provide copy of estimate to Santiago Township.
  - 127<sup>th</sup> Street Gravel – **Motion to move forward with this project in the amount of \$98,280 by Danielson. Second by Boros. Motion carried, all voting in favor.**

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### Supervisor Reports

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#### Fire Board – Supervisor Babler

- Northern Metals donated 30,000 for extrication tools for the truck!
- Getting ready to sell old truck.
- Burn went well – got 12 practices (start/stop)

#### CMRP – Supervisor Kolbinger and Planner Sanders

- Retreat was held where member organizations got together to try and ‘reset’ after covid and agree on goals. Output from this meeting coming.
- City of Becker Letter distributed – they have some concerns regarding this entity. These are valid and agreed with by this board at this point.
  - This is a regional partnership – NOT a MET council or ST Cloud Airport type council
  - Communications issues regarding how the board runs

- Initiative was originally bridge crossing (original group), now retreat says low priority. We are now getting too far – transportation studies good things, but we do not need to go to regional planning for the coalition.

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

- Patching is going on now to repair snow plow damage
- Picking up a lot more trash on the roads
- 67<sup>th</sup> already discussed in engineering, verifications
  - Shared cost on gravel? Yes, clerk to send to them and they need to approve the cost as well before the gravel gets put into place. They said they would share cost, but cost wasn't to them at the time (gravel portion). Clerk to obtain minutes and verify.
  - They agreed for the paved section of \$13,000 area.
  - “new segment” of road – similar to Salida – dedicated property to the Township by plat, never accepted. Some parts just show on a 1979 road order
- Fire Signs
  - Jeff Peterson in attendance – need to discuss signs. Different signs available for review.
  - Suggestion from Road Supervisors - would like to add address (street) on the bottom of the sign.
  - Roll out? Timing of getting new materials takes time. How do you want them put out? Should he use up current inventory?
    - Board consensus – order the new blanks, but use up those we have first until new arrive.
    - Estimated cost? Bring next meeting
    - Fines and Fees money can be used to pay for this
    - Roughly 2700 homes
    - Our signs have been holding up well
    - Jeff individually puts stickers on the blanks
    - Do posts get redone as well? Majority, yes will need to be updated
    - Checking into pre-numbered vs. Jeff numbering all 2700+ addresses
    - # homes per road – need the list of numbers
    - For now, Jeff will keep doing what he is doing until the change is official
  - Why some with Township signs not in the Township? (Grace Lutheran) – clerk to check again. They recently put it up again (annexed property)
- 05-101-2002: Can this access be used? It is Township property. Similar to Salida – went years with people using Township dedicated property and then the Town did decide to accept the right of way as a road.
  - Road order from 190<sup>th</sup> to 185<sup>th</sup> is from 1979 – but not maintained all of this
  - Platted pieces are platted and dedicated to the Township
  - A lot of discussion regarding this access/road information
    - Is this ok, legal and approved?
    - Easement is legal access
    - We tell people not to mow our right of way – how would we let him build a driveway?
    - Attorney Bourgeois
      - Two access points are available at this time - Easement & 67<sup>th</sup> Street platted area
      - Can he build on the 67<sup>th</sup> street? Different discussion
      - This is not a landlocked parcel, easement is in place – non-issue here. Dispute between owners is not a township issue
      - Is the area traversable?
      - Liability issue could be dealt with to allow him to use this



- Answer: at this time, do not use as a road, research is still required. If still a legitimate right of way, must be cleared (property owner of 05-101-2002 would pay costs) – it could be done, it will take some time and effort.
- Does this previous discussion contradict easements discussion we have had – not allowing easements? Attorney Bourgeois – reminder to board
  - access to property vs. buildable property are two different things
  - are you going to build this road?
- Road Supervisors noticed possible ROW issue of trees for parcel 05-489-0105 – will look into it?
- Dust Control requests. Not looked into at this point as working on roads. Will look into it after getting road projects into place for the summer.
- Projects for the summer – notification to residents. Clerk to wait until Supervisors or Engineer let know the notification letters can go out.
  - Township
    - 142<sup>nd</sup> Street Reconstruction
    - 127<sup>th</sup> Street Gravel
    - Gerogia Circle/Garden Grove/127<sup>th</sup> Chip Seals
    - 164<sup>th</sup> Avenue reconstruct timing
  - County Contracts
    - 142<sup>nd</sup> Street Repave
    - 82<sup>nd</sup> Street Reclaim
    - 67<sup>th</sup> Street Reclaim
    - 164<sup>th</sup> Ave Paving

### **Town Hall**

- Concrete pad, fence under 7' and building under 200 sf = no permits
- Tower – city owned, township property. City does not wish to be involved with taking down. No decision at this time.
- Any chance pad could be big enough for Clerk and Deputy Clerk to park behind the building rather than on street? Congestion really is bad before/after school and in winter after snows.
- **150<sup>th</sup> Celebration**
  - Pens/magnets here
  - Banners – proof discussed plus Flag under US Flag with Logo only, not the 150<sup>th</sup> year
  - Talked to fire chief regarding the two man pull-able fire tank that was purchased in 1910. Original to Becker and purchased by our Fire department.
  - Thought to put on trailer and have tractor pull in parade.
  - Some youth groups may be able to play in bandstand if we don't find anyone to do music.
  - May want popup tents in case of rain?
  - Maybe put some display in the old time buildings? Does History Center want to put something behind the windows?

### **Treasurer's Report**

- Animal control questions – end May 15<sup>th</sup>, then North Metro.
- Credit cards applications in process
- **Motion to approve Treasurer's Report as presented by Wilkening. Second by Babler. Motion carried, all voting in favor.**
- **Motion to approve payment of Warrants 14994-15023, PO 1358-1367, in the amount of \$52,142.09 by Babler. Second by Boros. Motion carried, 4-0-1. Supervisor Danielson abstained as his company had presented a claim for payment.**

## Other

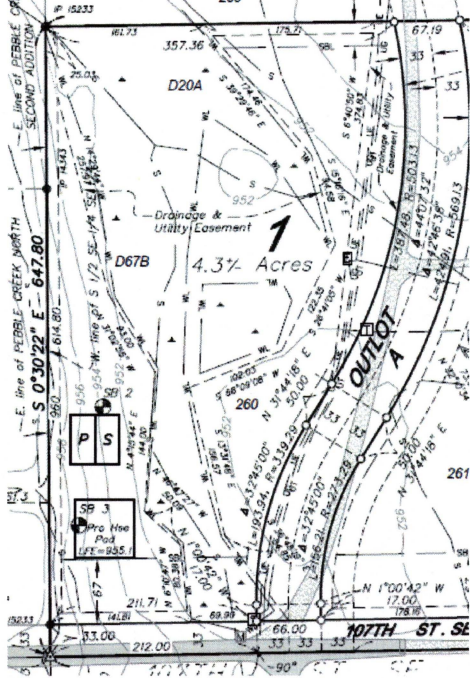
- Contracts – Supervisor Wilkening will review
  - July is expiration of Snow Plowing
  - General maintenance has expired

## JPB/TPC Updates

- Solar comment period
  - Add Roads to comp plan? Maybe yes, maybe no – obvious why we did this?
    - Property owners don't know since this is a 1200 acre development
    - We need another way to access as the traffic is bad
    - Can the Township provide comments? Yes – due the 30<sup>th</sup>. Objective is really a secondary exit from the Salida area. This solar landlocks this area and there is no way out of there.
      - Various road alternatives discussed
      - Option A, Option B, and Option C are current plans. Maybe another option would work as well? We basically need another way out of the Salida area – prefer the option that lets out onto 137<sup>th</sup>, but other alternatives could be considered.
    - Updating comp plan – needed, regardless of Solar. Our industrial area appears to be going all solar – we need to review this and make appropriate updates to the comp plan.
    - Difficult for a Township to plan for someone coming in and locking down 1200 acres. We would normally expect this to develop in an orderly fashion, not 1200 acres at once. For the Solar response to shut down this discussion is not an appropriate response. We are forced at this time to look for a secondary access. Typical development would be along highway 10 and up to 137<sup>th</sup> makes sense. Previous Supervisors talked about a future corridor there for years.
  - Numbers being requested from CMRP to add to the Township comment letter
  - Road Plan – Attorney comments to the Town Supervisors
    - 1 – submit comment to PUC now
    - 2 – yes, do the Comprehensive Plan updates – it still makes a lot of sense to incorporate this and any other additional roads you think may be necessary in the future.
    - Reason not there now – this is when we were forced to look at the property so that is why we are putting it into the comprehensive plan now.
  - Board consensus – staff handle responses for solar. Main point is that we need another access out of 149<sup>th</sup>. Safety is the main reason.
  - Board consensus – move forward on the comprehensive plan to get that road and other roads placed into the comp plan
- Administrative Resolutions – fixing legal description typo were passed.
- Kennel Permit updated
- Housing – desire to locate in drainage easement PID 05-523-0105. Came up later today. Engineer advised that due to the large drainage and utility easement, the Town Board would have to approve housing location. There is an outlot to the East. The Township did not accept dedication of this parcel so it is owned privately. It is 66' wide and identified as PID 05-523-0010.
  - Survey for 05-523-0105 was viewed.
  - Beacon doesn't show the same area as wetland
  - County told them that the Township has to approve (wetland is not delineated at this time)
  - It may or may not be a wetland, but it is indicated as a drainage and utility easement on the preliminary plat for Scenic River View with the house shown on the Southwest corner.



- Planned out one way and owners are asking if this will ever be a road (the outlet) and if they can move their house location to the upper 1/2 of the parcel if it is dry enough to place a home.
- Supervisor Wilkening, Platting process required wetland delineation so the wetland lines should be accurate. There is a high probability this is a delineated wetland. It is highly unlikely that a home would be allowed in that location. Answer would be no, you cannot place a home in that area. It is not labeled as wetlands. Regardless of what the homeowner to the east says, it is a wetland unless the owner can prove otherwise. Dry land does not necessarily mean it is not a wetland.
- Preliminary Plat image and Beacon Aerial of 4/2020 shown below



- Attorney Bourgeois: if the board would allow a home to be built in the area, an easement vacation would be required. That requires application and a public hearing.

### Yearly Reorganizational Items

These are items completed after newly elected officers have been installed.

Adoption of the 2022 Town Levy. Figures as approved by the voters at the Annual Meeting March 9, 2021	
\$ 175,000	General Fund - this total includes the following line items: 20,000 for donations and 500 for employee recognition.
\$ 1,000,000	Road and Bridge Fund
\$ 15,000	Town Hall Fund
\$ 100,000	Fire Fund
\$ 1,290,000	Total Levy for 2022

**Motion to approve the 2022 town levy as listed by Danielson. Second by Boros. Motion carried, all voting in favor.**

### Donations Request for 2021

Requested By	Amount	Approved/Denied	Amount Approved
Becker Parks & Rec	15,000	Approved	15,000
Danish Cemetery Association	750	Approved	750

Snake River Cemetery Association	750	Approved	750
Becker Cemetery Association	800	Approved	800
Becker All Night Graduation Party	1500-2000	Approved	1500

**Motion to approve donations as indicated above by Wilkening. Second by Boros. Motion carried, all voting in favor.**

**Yearly Appointments**

Position	Motion by	Second	Abstaining?	Motion Carried?	Who was appointed
Town Board Chair	Boros	Danielson	None	Yes, all in favor	Brian Kolbinger
Town Board Vice Chair	Danielson	Boros	None	Yes, all in favor	Brad Wilkening
TPC Alternate	Kolbinger	Wilkening	None	Yes, all in favor	Luke Babler
JPB Alternate	Kolbinger	Wilkening	None	Yes, all in favor	Luke Babler
Fire Board members (need 2)	Boros	Danielson	None	Yes, all in favor	Luke Babler Brian Kolbinger
CMRP & Alternate (2 needed)	Wilkening	Kolbinger	None	Yes, all in favor	Brian Kolbinger Brad Wilkening, Alt
Road Supervisors (need 2) Resolution 2021-08	Babler	Boros	None	Yes, all in favor	Joe Danielson Robin Boros
Road Supervisor use of Vendors, Resolution 2021-12	Wilkening	Danielson	None	Yes, all in favor	As amended: text to read "will allow either Road Supervisor the ability to select the vendor to use based on lowest cost;" other locations changing text from Road Supervisor and/or Alternate Road Supervisor to Road Supervisors or Either Road Supervisor
Weed Inspector	Boros	Danielson	None	Yes, all in favor	Luke Babler
Electronic Funds Transfer Designated Authority	Babler	Wilkening	None	Yes, all in favor	Tanya Danielson

**Items requiring yearly adoption**

Item	Motion by	Second	Abstaining	Motion Carried?	What was adopted
Adoption of Regular Meeting Schedule	Danielson	Babler	None	Yes, all in favor	Amended to include two regular meetings, occurring on the first and third Mondays in the Months of April for reorganization and October for budget purposes.
Resolution 2021-10: Town Board does not Recognize Columbus Day as an official Holiday	Danielson	Boros	None	Yes, all in favor	Adopted – TPC meeting will occur on Columbus Day and office will be open.



Designation of Official newspaper	Boros	Wilkening	None	Yes, all in favor	<i>The Patriot</i> , Becker, MN
Township Posting Locations	Babler	Boros	None	Yes, all in favor	Town Hall Becker City Hall Township Website: <a href="http://www.BeckerTownship.org">www.BeckerTownship.org</a>
Town Depository	Danielson	Babler	None	Yes, all in favor	Sherburne State Bank. Note: to maintain transparency, Treasurer stated she works there
Gopher Bounty Resolution 2021-09	Danielson	Babler	None	Yes, all in favor	\$2.50 per set of paws

### Conflict of Interest Issues

Item	Motion	Second	Abstaining	Motion Carried?	Notes
Joe's Bobcat & More Contract, Conflict Resolution 2021-04	Babler	Boros	Danielson	Yes, 4-0-1	Resolution authorizing contract with interested officer under Minn. Stat. §471.88, subd. 5
Acceptance of Joe's Bobcat & More Contract for Services	Boros	Kolbinger	Danielson	Yes, 4-0-1	
Resolution 2021-05 Contract with interested officer Joe Danielson	Boros	Wilkening	Danielson	Yes, 4-0-1	For quick response to maintenance needs for various township roads.
Resolution 2021-07 Contract with interested officer Robin Boros	Danielson	Babler	Boros	Yes, 4-0-1	For quick response to maintenance needs for various township roads.
Resolution 2021-06 Contract with interested officer Luke Babler	Boros	Danielson	Babler	Yes, 4-0-1	For quick response to maintenance needs for various township roads.

### Adoption of Amended Policies

Data Request Policy	Wilkening	Danielson	None	Yes, all in favor	
Internal Control Policy	Danielson	Babler	None	Yes, all in favor	
Investments Policy	Boros	Babler	None	Yes, all in favor	
Website Policy	Danielson	Babler	None	Yes, all in favor	
IT Policy	Boros	Babler	None	Yes, all in favor	

The following items were verified by the Town Clerk

- Town Ordinance book is in good order
  - copies delivered to County Law Library as required
  - copies posted at the local library as required
  - publications and filings of ordinances is completed within 20 days
- Town Resolution book is in good order

- Town Minutes Book is in good order
- Compliance with the 60 day rule for Planning and Zoning is being met
  - All zoning fees are managed and accounted for properly
  - All reports required are filed in a timely manner
- Annual GAAP Audit has been scheduled and will be filed with the State Auditor as required
- Other required reports are being filed as required
  - MN DOR Property Tax Report
  - CARES Reports
- Township RA for Data Requests is the Town Clerk

#### Compensation

- Cell phone usage reimbursement for Supervisors, Clerk, Deputy Clerk and Treasurer. Texting has become a very common way for the Clerk/Deputy Clerk and Road Supervisors to communicate with images/texting as well as the phone. **Motion to approve a monthly amount of \$30 for cell phones by Boros. Second by Danielson. Motion carried, all voting in favor.**
- Supervisors
  - meeting rate = \$100 – leave this one for now
  - hourly rate = \$23 now, move this to \$25. **Motion to approve Supervisor hourly rate at \$25 by Danielson, second by Wilkening. Motion carried, all voting in favor.**
- Clerk and Treasurer
  - Currently \$24.50/hour, other townships this size are 30-35/hour with full benefits. Clerk sent out sheet with information comparing other townships. Discussion do annual 1-3% for these positions so we keep more current rather than the giant jumps. Clerk averages 35 hours per week – tries to keep around 32, but after elections and such, it averages 35. Deputy Clerk averages 18-20 hours per week.
    - Clerk \$30/hour **Motion to approve \$30/hour for clerk by Danielson, second by Boros. Motion carried, all voting in favor.**
    - Moving forward, the board will look at merit raises on a yearly basis moving forward
    - Deputy Clerk **Motion to approve \$26.00/hour for the deputy clerk by Babler, second by Boros. Motion carried, all voting in favor.**
    - Treasurer \$30/hour **Motion to approve \$30/hour for treasurer by Wilkening, second by Boros. Motion carried, all voting in favor.**
    - Deputy Treasurer **Motion to approve \$26.00/hour for deputy treasurer by Wilkening, second by Danielson. Motion carried, all voting in favor.**
- Mileage reimbursement to be IRS Standard. **Motion to approve IRS Standard rate by Danielson, second by Wilkening. Motion carried, all voting in favor.**

#### Miscellaneous

- Insurance Policies – new equipment review should be completed
- Handbook – we are good for now
- Order three more noxious weed books
- Township Law book – in the clerk's office and Supervisor Boros has one
- Gravel Road book in clerk's office
- Township & Zoning Ordinances books in the office
- Election materials/guides – clerk maintains
- Officers – all need to verify information

Meeting Adjourned 8:52 pm.



  
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Brian Kolbinger, Chair

  
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Lucinda Messman, Clerk