

**Becker Township Board  
Town Board Meeting  
August 20, 2018**

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**Board Members Present:** Brian Kolbinger, Brad Wilkening, Gary Gilbert, Joe Danielson, Luke Babler, Lucinda Messman, Tanya Danielson

**Board Members Absent:** none

**Staff members present:** Kelli Bourgeois - Township attorney, Ben Wikstrom – Township Planning Consultant, Craig Wensmann – Representing Township Engineer, Tony Wruck – Township Maintenance Contractor

**Others present:** Sgt. Dan Franks – Sherburne County Sheriff, Ryan Peckskamp, Randall Vaughn, Frank Vaughn, Karla Scapanski, David Roedal – Sherburne County Public Works, Amy Stangler, Patti Haag, Cole Petroske, Brandon Hines, Nicolle Hines

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Meeting called to order and quorum verified by Chair Kolbinger.

Pledge of Allegiance

Consent Agenda

1. Minutes - July Regular Meeting
2. Upcoming electronic fund transfers/automatic payments approval
  - a. City of Becker – water/sewer – 15.73
  - b. Xcel Energy – gas and electric – 147.00
  - c. Ace Disposal – container for township maintenance – 101.94
  - d. Midco Business – phone and internet – 171.91
  - e. Upcoming EFTS related to payroll: Federal taxes, State taxes and PERA - mandated rates.
3. Correspondence
  - a. Recorded list of minimum maintenance roads in Becker Township
  - b. Photos of paving fixed 168<sup>th</sup> Str and 174<sup>th</sup> Ave
  - c. Town Aid Notification
  - d. LUCA material properly destroyed/submission deadline
  - e. Midco Service Interruption Notice
  - f. Water Meter Replacement/Appointment Scheduled
  - g. Truth in Taxation Notice return
  - h. Drainage and Water Class
  - i. Minnesota Association of Townships District 7 Meeting Notice
  - j. Fall Maintenance Classes
  - k. Clean up day reimbursement notice
4. Policy Updates
  - a. Snow and Ice Control
  - b. Resolution – Data Request Policy
5. Request for comment. Approval in consent agenda means no comments to forward
  - a. Sherburne County Alcohol sales ordinance

**Motion to approve consent agenda items as presented by Danielson. Second by Babler. Motion carried, all voting in favor.**

**Motion to approve regular agenda by Wilkening. Second by Gilbert. Motion carried, all voting in favor.**

**Sheriff's Report**

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- 201 Calls for Service
- 84 Traffic violations
- 5 Accidents due to Highway 10 Construction
- Buck Lake area, disorderly house paper trail is underway. Drug Taskforce has been working in the area. Public keep doing what you are doing.

**Sherburne County Public Works**

- Snake River Trail – David Roedel, Assistant Public Works Director for Sherburne County
  - Historical Review
    - 2006 Platted as part of Snake River Estates. Trail deeded to Sherburne County as part of their Healthy Living Plan.
    - After this, the Health Living plan changed a bit to get trails closer to County Roads
    - 2016 Residential concerns came in regarding access. Parts of the trail were overgrown or blocked
    - 2017 maintenance crews went out and cleared the trail
    - 2018 Trail was surveyed and identified where the class 5 was missing
  - Is the Township interested in having the trail remain in the township?
  - At a minimum, the County would like to pave the north/west leg and if the Township wants the rest of the trail completed, the County would work with the township.
  - Some locations have the trail in the wrong place
  - This is a county trail, but some people do not like that it goes through their yard. The trail property belongs to the county via easement.
    - Would you like the county to do the trail?
    - Would you like the county to dedicate the trail to the township in the future?
  - Supervisor Gilbert: Have the people living around the trail been asked if they want the trail to remain in place? Mr. Roedel: no, but the ones his office speaks to are interested in keeping the trail.
  - What is the Township's interest in this trail? Should the trail be finished or given back to residents?
  - Other discussion areas:
    - Would the county consider removing the trail
    - Do the residents of the Township want this trail
    - There is a drainage issue to the west of the trail
  - Town Board consensus – they are favorable to keep a trail in the township and would like to invite township residents into the next meeting to voice their opinions. Clerk will send out notices to residents of trail and surrounding area. Invite in for next month.
  - Sherburne County will double check if there are easements for trails in Aspen Ridge and Scenic Hills.
- Buck Lake Blvd. Residents regarding feasibility of Rental type ordinance
  - After speaking with Sheriff, is there a possibility of doing some type of ordinance at township level to be able to get rid of drug houses? Is there anything the Township can do to help?

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reduction to the contract in the amount of \$8,120.00. Retainage was based on original bid amount of 248,980.06. **Motion to pay \$236,531.06 to Sherburne County with retained amount as stated in documentation on file by Danielson. Second by Gilbert. Motion carried, all voting in favor.**

- 185<sup>th</sup> Ave SE North portion alternative – has board met with landowners? Not at this time. Board members will meet with landowners. Plan is to bid this for next year.
  - Discussion – can we speed up corners by talking with 2 landowners? Supervisor Danielson will speak with them.
- Aspen Ridge Stop Sign Request
  - Based on Minnesota’s Best Practices for Traffic Sign Maintenance/Management Handbook published by MNDOT:
    - a common misuse of stops signs is to arbitrarily interrupt through traffic
    - especially as a “speed breaker” in cases such as school crossings
    - Vehicle poses a problem for typically 3 seconds (the time for the vehicle to approach, pass through and exit)
    - stop sign prolongs this problem, increasing the risk and higher potential for intentional violation
    - Given the Average Daily Traffic, Location and reason for stop sign request, it is my recommendation to not install an additional stop sign
  - Town Board Consensus to follow Engineer’s recommendation. Clerk to contact person requesting stop sign.
- Minimum Maintenance Roads
  - These roads have been reassessed by Engineer and Road Supervisor.
  - Letter to board distributed [full text on file]
  - Only three are actually being maintained at minimum maintenance level
    - 67<sup>th</sup> Street west of CR 11 through to cul-de-sac.
    - 175<sup>th</sup> Ave SE North portion
    - 163<sup>rd</sup> Ave
  - All other named minimum maintenance roads are being regularly maintained and it is recommended the township stop paying additional for signs calling roads minimum maintenance that are, in practice, not minimum maintenance.
  - Supervisor Gilbert – Would the board agree to: rather than paying approximately \$5,000 to sign the current list of minimum maintenance roads as such, which in reality they are not actually minimum maintenance, lets only pay to sign the three that are minimum maintenance. Board consensus: order new signs for these three. Release the others, but leave old signs in place until the legal side is complete.
    - 67<sup>th</sup> Street, west of CR 11 will need to have an appropriate resolution drawn up and legals determined.
    - The others two are already declared minimum maintenance.
    - Clerk to verify process with Attorney to remove roads from minimum maintenance.
- Speed Limits

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- Attorney Bourgeois
  - It is possible to do a rental license ordinance. Considerations include:
    - Very staff intensive
    - Application process, inspection process, renewal process
    - Revocation – would require standards similar to the county ones and be similar to what the county is doing
    - Get the word out and set fees
  - Board has no desire to get into rental administration. Lack of staff plays into this.
  - Board is willing to help with enforcement in any way they can.
  - Encouraged residents to keep doing what they are doing.
- 93<sup>rd</sup> Street Speed limits
  - No one in, but Supervisor Gilbert talked with them and stated the clerk will develop a handout that can be distributed with information about length of road, current MN Statutes, legislators to call, etc..
- Gun Ordinance Request
  - Requestor not present, but asked the board to consider due to neighbors shooting a lot every night. Not against guns, just wish neighbors would respect some quiet time and realize the noise carries.
  - In Becker Township, people are allowed to shoot in a safe manner. Bullets are to remain on the property. If there is an issue with one of these items or excessive, call the Sherburne County Sheriff.
  - No gun ordinance will be enacted at this time.

### **Town Planning Commission**

- Two vacancies at this time. Ad was placed on the website. Supervisor Wilkening spoke with applicants and is recommending Ryan Peckskamp and Cole Petroski for appointment.
- **Motion to approve Resolution 2018-15: A Resolution Appointing Members to the Town Planning Commission by Wilkening. Second by Danielson. Motion carried, all voting in favor.**
- Personal Storage Structure application coming in September

### **Engineer's Report**

- John Anderson Secondary Access Request presented. Engineer recommended approval with notation that site distance is a concern. A lot of board discussion took place regarding how this sets now vs. desired location shown [full text on file: PID 05-123-4400]. **Motion to approve the secondary access permit by Wilkening. Second by Babler. Motion carried 4-1. Kolbinger, Wilkening, Danielson and Babler For; Gilbert Against.**
- Bill for the paving of 185<sup>th</sup> Ave SE is due to Sherburne County. The contract originally called for the placement of concrete curb on 185<sup>th</sup> Ave between CR 73 and 109<sup>th</sup> Street. Township decided to eliminate the concrete curb from the contract. The contractor was directed not to install the curb with no compensation for the elimination of the concrete curb. This resulted in a

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- Wes looked deeper into speed limits. Potential legally placed speed limit signs of 30 mph may be placed by the State Commissioner of Transportation.
  - A speed study would have to be done; and
  - Speed limit would be based on engineering as well
  - If the speed study shows most people traveling faster – risk the limit would be raised
  - Board supports residents who wish to try to decrease speeds based on the speed of engineered corners. Chair stated he would not support speed limits less than 35 mph in the Township.

### **Supervisor Reports**

- **Fire Board – Supervisor Babler**
  - Basic meeting.
  - Approved new/upgraded radios
  - Approved purchase of new/upgraded pagers
- **Parks/Trails – Supervisor Danielson – no meeting**
  - Chair Kolbinger went to a get together/open house of people who want trails and athletic facilities in the area
- **Highway 25 Coalition – Chair Kolbinger**
  - All members are not in agreement on which plan is best
  - All options still on table
  - 10-15 years out before implementation (if any)
- **Roads – Supervisor Gilbert**
  - **Neighborhood Watch – National Night Out Events**
    - Cedar Crest is a large group/event
      - Most people seem happy with things
    - Garden Grove is a smaller group
      - Just getting a group going
  - **Misc. Road Issues**
    - Don Alexson's is complete
    - Asphalt repairs in Cedar Crest complete
    - 127<sup>th</sup> Street – many issues
      - Speed
      - Randall Vaughn and Frank Vaughn
        - grading – hasn't been done correctly road is in bad shape
        - if quit grading, people would have to slow down
        - a lot of speeding – especially late afternoon/early evening (clerk directed to contact Sheriff's department with times)
        - Road has not been maintained well
        - Worry about kids on bikes
      - Dust Control – Supervisor Danielson – 2<sup>nd</sup> application would be helpful

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- Sprinklers at Carefree are being directed on our road – they stated they will get the direction fixed
- 142<sup>nd</sup> Sinkholes were fixed today. Damage to pavement edge by farm equipment is still there
- **Gravel Inspections** – have started
  - Some of the gravel roads in poor condition in township are as follows: (worst condition listed first)
    - 190<sup>th</sup> Ave - southern section
    - 190<sup>th</sup> ave – north section
    - 117<sup>th</sup> Street SE
    - 175th Ave SE minimum maintenance portion
    - Board consensus for Road Supervisor to work with Township Engineer to make the following happen for next month:
      - Stake and clear 117<sup>th</sup> Street SE, 190<sup>th</sup> Ave SE South Section, 175<sup>th</sup> Ave North portion.
      - Prepare cost estimates up to budget for improving proposed gravel roads in 2018. The board will determine which roads will receive maintenance at the next meeting.
- **Signs**
  - 9 Button signs – not all in township are required
    - Recommendation – remove all and only put where they are needed/required
    - End of 120<sup>th</sup> – recommend a barricade or something better than a 9 button since it leads to body of water – road supervisor to investigate barrier type with Engineer for end of 120<sup>th</sup> Street SE.
    - Board Consensus – yes, do this. No need to go to expense if they are not required.
  - Fire Numbers
    - There is no consistency with how we do these. Would like to see
      - Private roads – cluster on the public road and people are responsible to have their mailboxes labeled appropriately.
      - Township roads – fire sign to be individually placed by each residential driveway.
    - Discussion
      - Emergency services like signs clustered and on homes vs. Township liability for accessing private property to install fire signs
  - Building Permit Required Signs – replace or not? We have 3. Board consensus – take them down. People should know building permits are needed.
  - 163<sup>rd</sup> Ave SE Photos shown prior to repairs
- **Road Improvement Status**
  - 107<sup>th</sup> Street SE – by golf course – scheduling tree removal. Letters have been sent/required time has passed. Homeowner in agreement.

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- 95<sup>th</sup> Street – East end by Cul De Sac – needs to be grubbed later – oak trees. Clerk to send notifications.
- 185<sup>th</sup> Avenue Grading by Josh Dillanger – correct backslope wasn't put in. Owner doesn't want to give up more trees to get correct slope and is willing to maintain the area as it is. Owner stated he never had a culvert until road was replaced. Solution recommended, Township to extend culvert on both ends and do the grading. Estimated cost \$2,500. **Motion to complete the culvert extensions/grading by Wilkening. Second by Danielson. Motion carried, all voting in favor.**
- Kraemer & Final Grading
  - They seeded slopes last year when MPCA issued them a violation notice
  - They feel they are done
  - Slopes are not correct and there are some pretty rough areas
  - Erosion control is still in place
  - Goal was 4:1 slopes – it is 1:1 in quite a few locations. It is pretty rough.
  - Poor grading. Board is not satisfied.
  - 2018 working with Engineer to come up with a resolution to this issue
- Boulder Crossing
  - Large cracks in pavement. These should be fixed before the Township accepts the roads.
- Hidden Haven
  - Are we issuing building permits?
  - Clerk: Yes, MPCA is monitoring their system. Our building inspector told us they are not allowed to do any more than make sure the connection in the home is done correctly/meets building code.
  - Supervisor Wilkening requested copies of the documentation regarding discussions
- 77<sup>th</sup> Street SE/112<sup>th</sup> Street SE – Call for Town Board Meeting
  - Town Board Supervisors and Town clerk do hereby declare that the interests of the town require a special town meeting to be held to consider the initiation of the alteration of town roads pursuant to MN Statute §164.06:
    - Alter existing right of way to be a full 66' wide right of way on the section of 77th Street SE from CR 127(137th Avenue SE) to west end of 77th Street SE located at west edge of Range 28, Section 7, Township 34
    - Alter existing right of way to be a 66' wide right of way on the section of 112th Street SE that runs west of CR 51. This section is approximately ½ mile in length and ends part way through Range 28, Section 26, Township 34. See Exhibit A attached to these minutes
  - The meeting is to be held Monday, September 17, 2018 at the Becker Town Hall, 12165 Hancock Street, Becker, MN 55308. Meeting to begin at 8:00 p.m. The regular town board meeting will recess if needed to allow this meeting to take place.
- Developers Agreement is still being revised.
- Town Hall Repairs/improvements – Supervisor Danielson

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- Gutters – round, copper for the whole building will cost approximately \$13,000. These are the type needed to go with the age of the building/be most historically accurate.
  - **Motion to authorize repair of gutters and have fascia painted, if required, not to exceed \$15,000 by Kolbinger. Second by Gilbert. Motion carried. All voting in favor.**
- Tree in front of Town Hall in power lines. No one wants to remove tree, but it is going through two sets of power lines and rubbing on the roof of Town Hall, shortening the life of the shakes. Board authorized Supervisors Danielson and Gilbert to have the work completed by General Maintenance Contractor and involve Xcel energy if necessary due to the multiple sets of power lines.
- Ramp repair was completed. There is a dip by the door. Supervisor Danielson to check with contractor to see if they can skim in the dip.
- Landscaping will be completed by Joes' Bobcat. The rest of the rotting timbers will be removed before the work begins.
- Solid Waste issue in Aspen Ridge seems to be resolved. Sherburne County to handle if it re-occurs.
- Internal Control Delegated Officer needed. **Motion to appoint Treasurer, Tanya Danielson, as the Delegated Officer for the Internal Controls Policy by Kolbinger. Second by Wilkening. Motion carried, all voting in favor.**

### Treasurer's Report

- Our bank currently has a CD Special going on right now. They are offering 2.35% rather than the .5% we were getting. Treasurer recommends placing the \$250,000 fund balance minimum from Road and Bridge into a cd with this higher rate. Board consensus to do this.
- Permit administrative billing may have issue. Paying the \$25 for new construction permits and \$10 for each other permit was the agreement to cover the staff time for issuing permits. It appears on this billing that we are being billed this plus the time required by staff to issue the permits each quarter. This should be investigated before authorization of payment. To increase transparency, also request that the City of Becker bill us the \$10 and \$25 admin fees rather than have us just deduct them from cash/credit card payments.
- Treasurer's report presented
  - Supervisor Babler asked who/how determines how many Election Judges are required. Clerk responded state law requires us to have a minimum of 4, however based on size of precinct and anticipated high voter turnout, we had more on hand. Once slow day noted, some were dismissed for the day.
  - **Motion to approve Treasurer's report as submitted by Wilkening. Second by Gilbert. Motion carried, all voting in favor.**
  - **Motion to pay warrants 13947-13984, EFT's 1041-1047, void check 13978 and change EFT 1040 to TRF 76 (administrative numbering) in the amount of \$285,638.45 by Wilkening. Second by Gilbert. Motion carried, 4-0-1. Supervisor Danielson abstained as his company submitted a bill this month.**

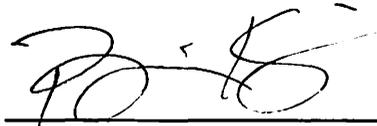
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**Other**

- Reminder – Town Hall is closed on Federal Holidays. Next one is Labor Day.
- Clerk requested permission to take a class on Communicating with the Public while performing Maintenance Activities in St. Cloud. Permission granted.

Meeting Adjourned at 9:22 p.m..



Brian Kolbinger, Chair



Lucinda Messman, Clerk