

Becker Town Board Meeting  
Regular Meeting 7:00 p.m.  
Monday, June 21, 2021  
12165 Hancock Street

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**Attending,**

- ❖ Board members: Chair Brian Kolbinger, Vice Chair Brad Wilkening, Luke Babler, Robin Boros, Joe Danielson, Clerk Lucinda Messman, Treasurer Tanya Danielson Absent
- ❖ Others: Deputy Clerk Fran Seeley, Sgt. Frank – Sherburne County Sheriff's Department, Wes Davis – Twp. Engineer, Tony Wruck – Twp. Contractor, Jacob Sanders – City of Becker Planner (online), Ben Wikstrom – Twp. Planner, Kelli Bourgeois – Twp. Attorney, Mark Kolbinger – *The Patriot*, Ashley Meagher – Schlenner, Wenner; Car Anderson, Gloria Pontius, Frank Kasowski, III, Frank Kasowski, Jr.

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
  - April regular Town Board Minutes
  - May Regular Town Board Minutes
  - March 23<sup>rd</sup> Special Meeting Minutes
  - Mary 17<sup>th</sup> Special Workshop Joint Meeting with City of Becker Minutes
  - April 14, 2021 Meeting with Santiago Town Board 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:
  - Arvig notice as Federal Contractor
  - Sherburne County Administrative Policy Manual: Public Protest and Demonstrations
  - Sherburne County Administrative Policy Manual: Agricultural Society Sales Tax at the County Fair
  - Sherburne County Administrative Policy Manual: Ceremonial Proclamations & Resolutions
  - Thank you note from Danish Cemetery Association
  - MPCA Public Notice of Intent to Modify Vonco II Landfill Permit
  - City of Becker Notice of Public Hearing: T-Town area
  - Revised Covid-19 Preparedness Plan

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

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

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### **Sheriff's Report – Sgt. Frank**

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- 178 Calls for service
- 67 traffic stops
- Typical month
- 70<sup>th</sup>/175<sup>th</sup> information received by Town Board. He requested accident data. He was on duty for the rollover in the area – snow/ice conditions.
- 97<sup>th</sup> Avenue speed concern brought to his attention
- 97<sup>th</sup> and CR 53 stop sign being run quite often
- 77<sup>th</sup> garbage in the ditch again

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### **Audit Report – Ashley Meagher with Schlenner, Wenner**

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Meagher presented summary documentation to the board members and reviewed audit processes.

- Clean/unmodified opinion given
- Two adjustments required due to a property tax allocation and account payable
- No non-compliance
- Question: As Auditors, do you find it concerning that the township has just under 6 months of operating revenue? A: No. Keep in mind if we go percent of cash wise, 20-40% is standard. So 3-6 months is good to have on hand. The township is in good standing.

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### **Encroachment into Town Drainage Easement Request – Jeff Anderson**

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Mr. Jeff Anderson purchased home that needs the septic system brought into compliance. 17321 168<sup>th</sup> Street SE, PID 05-411-0140

- Mound system proposed would put the mound in the center of his backyard.
- Aerial view shows much of his parcel is wetlands.
- Plat of Oak Crest Estates, Third Addition shows a drainage area that crosses the backyard of this parcel.
- Mr. Anderson would prefer a regular septic system, it could be done if the pipe is allowed to encroach on a drainage easement that cuts through the back of his property. That would move the septic bed to the back of the parcel out of the backyard.
- **Motion to grant a septic encroachment agreement if the Town Engineer agrees that the plan will not change the drainage for the development and Town Attorney review of all documentation. Restoration of the drainage area to what it was prior to placing the pipe will be required by Babler. Second by Danielson. Motion carried, all voting in favor.**

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### **Public Hearing – Easement Vacation in Boulder Crossing**

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Wikstrom reviewed staff memo with Board members [full text on file].

- Frank Kasowsk III and Boulder & Spud Land Company have submitted an application for a Boundary adjustment subdivision to adjust the southern property line between their parcels by 24' (approximately .41 acres).

- The Planning Commission recommended approval of the adjustment and acceptance of survey following a public hearing on June 14<sup>th</sup> , contingent upon the Town Board approving the easement vacation.
    - No public comments regarding the vacation were made.
  - All Zoning Ordinances for the General District are adhered to concerning this boundary adjustment.
  - Request is for the Drainage and utility easements on the current property lines to be vacated via draft resolution 2021-14.
    - Legals for new drainage and utility easements between the two lots have been completed and will be dedicated if the vacation of the current drainage and utility easements is completed. Draft version included in packet.
  - Town Board Chair called for public comments. None
  - **Motion to close the public hearing by Wilkening. Second by Boros. Motion carried, all voting in favor.**
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Discussion – none

**Motion to approve Resolution 2021-14: A Resolution approving vacation of a drainage and utility easement between the properties at 8509 119<sup>th</sup> Avenue (Lot 15, Block 2) and the Parcel identified as 05-508-0232 (Lot 16, Block 2), located in Boulder Crossing Development, Clear Lake, Sherburne County, Minnesota contingent upon the approval of the boundary adjustment and certificate of survey by the Joint Planning Board by Babler. Second by Danielson. Motion carried, all voting in favor.**

**Motion to approve the permanent easement dedication as presented contingent upon approval of the Boundary Adjustment application and acceptance of the Certificate of Survey by the Joint Planning Board by Babler. Second by Wilkening. Motion carried, all voting in favor.**

#### **TOWN PLANNING COMMISSION/JOINT PLANNING BOARD UPDATES - Wikstrom**

- Town Planning Commission meeting
  - Boundary adjustment – heard about in conjunction with easement vacation request prior to this segment.
  - Front yard setback variance recommended.
    - Built prior to zoning regulations (1984) – 61.6 feet from right of way rather than 67’.
    - They would like to add onto the back of the house as well as fix the front porch. Any work requires a variance as it is a legal, non-conforming parcel.
    - A front-yard setback variance will allow the house to be in compliance and the building plans can move forward. Only comments received were positive from neighbors – current owner has really fixed things up and it looks nicer than it has in last 10 years. Planning Commission recommend for approval.
  - Hillside Meadows – 4 lot subdivision.
    - Everything meets requirements.
    - There were some comments from the Engineer – all answered prior to the public hearing. Planning Commission recommended this Preliminary plat for approval.
    - The snowmobile trail to the south of the southernmost lot will stay in place as this is the Carl Johnson cartway, used by owners to the west for property access and snowmobiles.
  - Some violation notices are out, there are responses being received from some.

#### **ENGINEER’S REPORT - Davis**

- 142<sup>nd</sup> Street will start in mid-July.
- Georgia Circle and Garden Grove Road double chip seal will also start in mid-July.

- 127<sup>th</sup> Street, shared road with City of Becker – continuing and moving to the City Council for approval at this point.
- 67<sup>th</sup> Street, shared with Santiago Township
  - The approximately 1 mile of gravel on the east side (west side done a few years ago) – Santiago went out for more quotes. They received a bid for 4” gravel from Knife River at a cost of approximately \$53,000. Santiago Clerk said she would email copy of bid to us. Not on file yet, but will be. **Motion to pay ½ of the total of the Knife River gravel bid stated to be \$53,465** (amount stated by reporter who covered their meeting Becker clerk to contact Santiago clerk and get copy) **by Wilkening. Second by Danielson. Motion carried, all voting in favor.**
- Cul-de-sac portion – East of 23 originally planned as reclaim, then changed direction to use the blanket due to the large amount of peat underneath. Santiago went out for bids after this and wants to change to original direction. They obtained a bid from Knife River proposing to reclaim that section and replace a culvert at approximately \$110,000. They plan to over-paving with 3.5” of bituminous.
  - At the meeting, the Town Board Supervisors found out that Santiago had gone out for bids on this. The Santiago Town Board is willing to split the cost of this.
  - Road Supervisor Boros met with Santiago’s representative John Herbst and Knife River on site and received a rough number of \$110,000. We originally planned to put bituminous on (pulling out of that contract cost Becker Township some dollars), then went for the blanket/chip seal option, then John said the Santiago Town Board would rather do pavement as it would be better here.
    - Knife River didn’t want to do anything with the culvert at that time.
  - Clerk reminded board of letter on file from Santiago Township dated February 10, 2021 where Santiago Town Board didn’t want an engineer involved due to cost. At that time they didn’t want to pay for engineering and bore testing.
    - Gravel portion – we each provide our own engineer.
    - Engineering will need to be discussed for the blacktop portion. Culvert does need to be replaced.
    - Discussion of engineering – mill it, pave over, put a shoulder on there. Santiago Clerk will send the minutes to Becker Township.
  - Boring was done next to the culvert - \$3,000 for the one boring sample. Santiago has agreed to pay for ½ of this price right now. Clerk to send invoice. They want a longer life than the blanket type patch. Engineer: We do have old borings from shouldering areas – there is a good section of questionable sand/gravel, then peat. There will also be wetland impacts. If it is really \$110,000 for all the work, it may be worth chasing the peat (leaving it in there) and it may last 20 years before maintenance. Road has been in there 25-27 years now. This is a gamble, but based on what has been seen, it should last. Board had expected the number to be a lot higher.
    - Gophers, woodchucks and muskrats are tunneling under this as well.
    - Peat stopped overlay, but ok for whole road? Discussion – back as square one now, how this would proceed, would hold together better (due to peat) if do the milling and paving in a single year.
    - Culvert replacement. This is where the majority of the peat is located. Replacing means that that amount of peat comes out and good material put back.
    - Timing – this likely won’t happen this year, looking at next year.
    - Need to go back to Santiago, go out for prices and move forward. Road Supervisors to do this. Clerk to call and ask to be on agenda

- 97<sup>th</sup> and LRIP grant – meeting set for the 30<sup>th</sup>. This is a process review meeting. After this a meeting between entities will be set and things will move forward. There may be some right of way acquisition needed – all depends on the MN Dot Standards required with the grant.

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## Supervisor Reports

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### Fire Board – Supervisor Babler

- Standard meeting. New images from parade available.

### CMRP – Supervisor Kolbinger and Planner Sanders

- A regular meeting of Thursday this week – final visions workshop

### Roads – Supervisor Boros and Supervisor Danielson

- Nicks Tree – haven't heard back – want to set them up as an approved vendor
- Salida Easement for Clay Leasing to sign presented to the board for approval. If granted, the township will use the drainage there for the road. **Motion to accept the easement documentation as presented and move forward with the proposed plan by Danielson. Second by Boros. Motion carried, all voting in favor.**

### Town Hall

- Tabled for now

### 150<sup>th</sup> Celebration

- Went well – gave out a lot of hotdogs. Viewed a few pictures.

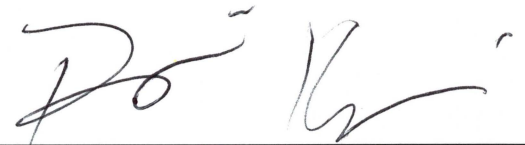
### Treasurer's Report

- **Motion to approve Treasurer's Report as presented by Boros. Second by Wilkening. Motion carried, all voting in favor.**
- **Motion to approve payment of Warrants 15129-15166 and PO's 1375-1380, Void 15167-15168, in the amount of \$109,026.59 by Wilkening. Second by Boros. Motion carried, 4-0-1. Supervisor Danielson abstained as his company had presented a claim for payment.**

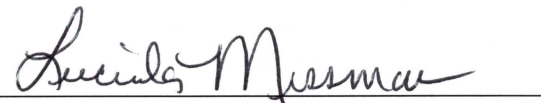
### Other

- SCWD culvert item – no concerns, but Table until we hear back if there are any township culverts involved.

Meeting Adjourned 8:05 pm.



Brian Kolbinger, Chair



Lucinda Messman, Clerk