

Regular Town Meeting
Monday, March 18, 2019
12165 Hancock Street

MEETING MINUTES

Attending

- | | |
|--|--|
| <input checked="" type="checkbox"/> Township Chair Brian Kolbinger | <input checked="" type="checkbox"/> Township Supervisor Luke Babler |
| <input checked="" type="checkbox"/> Township Vice Chair Brad Wilkening | <input checked="" type="checkbox"/> Township Clerk Lucinda Messman |
| <input checked="" type="checkbox"/> Township Supervisor Gary Gilbert | <input checked="" type="checkbox"/> Township Treasurer Tanya Danielson |
| <input checked="" type="checkbox"/> Township Supervisor Joe Danielson | <input checked="" type="checkbox"/> Township Deputy Clerk Fran Seeley |

Absent Board Members: none

Attending Staff: Kelli Bourgeois – Township Attorney, Wes Davis – Township Engineer

Others Attendees: Tony Wruck – Wruck Excavating, Dan Frank – Sherburne County Sheriff, Craig Wensmann – Bogart Pederson, Bevin Mitchell, Cole Petroske for John Anderson, Luke Helmin, Rick Johnson, Nicolle & Brandon Hines, Jerry Fischbach, Mimi Fischbach, Dan Barringer, Gregg Hedike, Lance Bemboom, Susanna Kuehne – Citizen Tribune Newspaper.

Meeting called to order and quorum verified by Chair Kolbinger.

Pledge of Allegiance

CONSENT AGENDA – MOTION TO APPROVE BY WILKENING, SECOND BY DANIELSON – MOTION CARRIED

1. Minutes Approved
 - a. Regular Town Board Meeting February 2019
 - b. 2019 Board of Audit Minutes
2. Upcoming electronic fund transfers/automatic payments approved
 - a. City of Becker – water/sewer
 - b. Xcel Energy – gas/electric
 - c. Ace Disposal – twp maintenance
 - d. Advanced Disposal – container at Town Hall
 - e. Midco Business – phone and internet
 - f. Upcoming EFTS related to payroll: Federal taxes, State taxes and PERA – mandated rates.
 - g. State of MN for building permit surcharge fees
3. Correspondence received
 - a. Central Applicators Vegetation Control
 - b. 2019 Actual Tax Capacity Values
 - c. 2019 Net Tax Capacity and Taxable Market Values
 - d. Records Destruction Report 3/6/2019
 - e. Executed Highway 25 Coalition Document
 - f. Trash Cans in ROW Notice as sent
 - g. Sherburne County Attorney Request to Update Ordinances
 - h. City of Becker Clean Up Days' Notice
 - i. Becker Schools All Night Grad Party Contribution Request
 - j. Highway 25 Coalition information packet

- 4. Fee Schedule Resolution – final format presented for Signature by Town Chair. Resolution 2019-03: A Resolution Setting Fees and Charges Effective January 1, 2019, for the Town of Becker.

REGULAR AGENDA APPROVAL

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

SHERBURNE COUNTY SHERIFF'S REPORT – Sgt. Dan Frank

154 Calls for Service

12 Accidents

20 vehicles off road – speed is the issue

Trailer on 123rd taken care of in ROW

Question regarding 190th off CR16 Drug issues? No complaints received by Sheriff, though they have had suspicious vehicle calls. If public sees anything, please call the Sheriff's Department.

BID OPENING – 185TH AVENUE SE – NORTH PORTION – WES DAVIS

Bidder	Bid Bond?	Bid Price
Astech	Yes	\$ 861,903.90
Hardrives Inc.	Yes	\$ 654,450.37
Helmin Construction, Inc.	Yes	\$ 643,461.04
Knife River Corporation	Yes	\$ 624,387.25
New Look Contracting, Inc.	Yes	\$ 645,812.00

Motion to award contract to Knife River Corporation pending final review and verification of quantities by Township Engineer by Wilkening. Second by Danielson. Motion Carried, all voting in favor.

RESIDENTIAL OPEN FORUM

185TH AVENUE SE QUESTIONS/ANSWERS IN REGARDS TO UPCOMING ROAD PROJECT

- Location of impact – South of County Road 4 to 109th Street SE. It will be like the southern part.
- 26' wide mat
 - 12' lanes
 - 3' shoulders with 1' of shoulder paved, rest gravel
- Questions on curves
 - 90 degree curve stays
 - Others move to 40 mph curves
 - Vertical curves won't be worse. Engineer Davis to meet with a few people after the board meeting to review plan sets with them.
- High spots will be lowered, low spots will be raised. It will be higher than it is currently in some locations. Thinking about 6" up or down in locations. Goal is to get the road as flat as practical.
- Mailboxes will all be replaced with the standard swing-away type.
- Engineering will determine which driveways will get culvers and which will not. It can be seen on the plan set.
- If a location has an improved driveway (concrete/asphalt) – what does the Township do for the intersection?
 - Currently looking at how to minimize the parts that will need to be removed/replaced. According to Township ordinance, whatever it taken out will be replaced with bituminous (asphalt).

- If driveway has recycled asphalt now, it will end up with the same material replaced.
- Gravel driveways will end up with a 2' bituminous end where it connects to road
- South of County Road 4, wetland credits were used to raise the road a bit and fill it in so slopes needed to change to 3:1. Entire road will now have 3:1 slopes at a minimum. Some locations the slopes are flat and work – those will not change. To get the wetland work approved, had to go with 3:1 rather than the standard 4:1 slopes.
- Ditches will receive a sandy roadside mix when being re-seeded.
- Timing and access
 - During construction everyone will always have driveway access (unless waiting a few minutes for a truck to go by).
 - Start depends on weather – hoping for 6/1, but not sure at this time.
 - Plan is completion within 40 days or August 31
 - No plans for new utilities (no conduit or fiber going in), but the Township has notified utilities of the work and if they need to move items.
- Tax impact
 - This project will not raise taxes – it is part of the regular levy.
- Tree impact
 - Prior to contractor starting, the right of way (ROW) will be staked to show impacts. Trees will be properly trimmed or removed if necessary.
 - Mainly a cleanup of the Right of Way for project preparation
 - 33' from center of roadway is the area to be cleared. Some areas will be impacted more than others.
- This is an approximately 2.5 million dollar project (counting from start at South end to finish). Only the initial base layer of asphalt will be placed this year. Next year (summer 2020), the wearing course will be placed over the entire stretch of road – from CR 73 to CR 4.
- Question on the age of road – guessed around 1980. Road is at end of life – most paved planned for 20-30 years. This one is beyond that.

ACCURATE AUTOMOTIVE RIGHT OF WAY FLOODING

- Images in parcel file from yesterday – it is very deep
- Wruck pumped water from deep area into pond
- It is dry at the grass end where the drainage pond is located
- High water by the Liquor store (south end) and high water on track side and road side.
- Likely this will not occur again
- No original grading plans have been located
- Whose responsibility is it to clear this?
 - Attorney Bourgeois:
 - The property was dedicated as a public road, but there was never a road built for property. While it is acting as a driveway – it does not obligate the township to maintain, nor does it prevent the township from maintaining.
 - Whatever contractor works on this needs to be aware this is not a township project and the township is not liable. A formal arrangement should be in place.
 - Township cannot maintain a private driveway for a private business. However, since this is a Township right of way and the water is dangerous where it is located, there is a consideration due to health and safety due to the flooding. This type of severe thaw is not typical.
 - Bevin Mitchel (a former owner?) – in 2004 there were never any water issues

- Brandon Hines (owner, Accurate Automotive) – wants to verify any action he takes is legal – doesn't wish to overstep, but would like to get water out of the way. Is it ok if he takes necessary steps to remove water? Has never seen water at this level before.
- Board discussion
 - This is a township business that has the best access through the right of way
 - It is Township property – the township should probably help
 - Any Township action/work would require Town Board approval
 - Can the high area by drainage be lowered/fixed so water drains properly? Yes, it is believed so
 - Clean it up for this issue as it is a danger to the public.
 - For future, recommend use of the Cul De Sac entrance off 164th.
 - **Motion by Wilkening to handle the immediate public safety thread. Second by Danielson. Motion carried, all voting in favor.**
 - Supervisor Gilbert to work with Township Contractor to get immediate threat abated.
 - Board members will look at a drainage plan going forward

TOWN PLANNING COMMISSION/JOINT PLANNING BOARD UPDATES – Supervisor Wilkening

- Definitions added to ordinance for
 - Farm Related Business
 - Occasional Sales
 - Standards for CUP's for each
 - Composting definitions to be added next month
 - Revised architectural standards to be used – no longer prohibit post frame construction and no longer require all 4 sides to be 'fancy'.
 - Land locked parcels/easements for access – no changes as easements do not work.

ENGINEER'S REPORT – Wes Davis

185th Ave SE – North Section

- NPDS permits have been pulled
- Have been talking to individual landowners regarding driveways and trees
- Plan changes
 - Shouldering from Aggregate to 6B – ground up/recycled asphalt. Aggregate is tough to get around here
- Q: once road is ground up, how long will it be gravel? A: not as long as south ½, but it will be gravel for a while. All asphalt is staying on site to use for base.

SUPERVISOR REPORTS

Fire Board – Supervisor Babler

- New air sensor monitors have been purchased
- Replaced funds in CD

Sherburne County Parks/Rec/Active Living – Supervisor Danielson

- No meeting
- Clerk still trying to find out who is the new person to contact with questions. No response from county.

Highway 25 Coalition – Supervisor Kolbinger

- Pushing to close the study as it would allow it to be used for other purposes and go to EAW
- Meeting this Monday – hoping to finalize study
- No alternative selected yet
- Monticello dislikes one option so trying to hold up the whole process. The rest of the group wants to close the study so the investment we have made is not wasted.
- Feasibility study is next
- Goal of the group – let the process throw options out.

Roads Report – Supervisor Gilbert

- 117th Street and Bus Garage Road roadside public hearings set for Saturday, May 4th. Clerk to send notices to public.
 - 117th Street at 9 am
 - Bus Garage Road at 11 am
- Signs on County Roads
 - Working with Marlin at the county. Signs run about \$250 each and 10-12 of these are bent from County snowplows. Working to figure out who will pay cost of repair
 - Heavy gauge posts
- County Road 93 Plan Set was received.
 - **Motion to acknowledge the receipt of the plans/review and sign by Babler. Second by Gilbert. Motion carried, all voting in favor.**
- Mallard Drive
 - City plows took out some of the swing away mailboxes
 - Supervisor Babler repaired them
 - Nothing in the City contract to deal with this. This is a section the City of Becker plows. How does the board want to see this handled? Supervisor Gilbert to come to solution with Chris at the City of Becker
- A lot of ice on road calls coming in. Is there anything the board wants done about this? What is the procedure? It is bad everywhere and been a tough season. Contractor has gone out and re-scraped and sanded a few times. Board consensus – use best judgement. We cannot keep roads ice free like county – we do not have the budget. Safety is key, but people need to slow down too.
- 107th Letters regarding trash cans went out & a lot of tree trimming is being done on oaks.
- 190th and Aspen Ridge tree removal will start soon. More trash dumped on road
- Cedar Crest will be addressed after the snow is gone.
- Contractor is letting us know when they see trash – we appreciate and it is getting handled
- Signs – some are green posts, others have galvanized posts. Board consensus – use up the green until they are gone, then change to galvanized posts.
- 17065 Kenny Court
 - ROW requires survey
 - Snow piles are maxed out – need to look at this as something looks off
 - Notice sent to owners as it appears a ROW violation may be occurring
 - Plan to work with property owner to move forward
- Snow Contract
 - Move date to top
 - 1 year renewal – no bids – do quotes only
 - Options of bidding vs quoting discussed.
 - Work for next time – update maps as well
 - Consider auto renewal if go with quotes

- Plan to receive quotes in July and award by August 2019
- Supervisor Danielson – Road restrictions start tomorrow. Board consensus – no overweight permits allowed for township roads.
- Clean-up days have changed – no trash allowed this year
- Santiago Township – need to meet next month

TREASURER'S REPORT – TANYA DANIELSON

- Anastasia Jellum – needs agreement. Checks have been cut, but until Agreement is complete, they will not be mailed.
 - Called a Reverse Account Agreement
 - Attorney Bourgeois working on it – just received today
 - Motion to approve the Reverse Account Agreement once approved by Township Attorney and authorizing chair/those necessary to sign by Babler. Second by Gilbert. Motion carried, all voting in favor.
- Motion to pay warrants 14178-14208 and PO 1106-1115, this includes the release of \$202,704.20 in developer's funds, in the amount of \$281,680.32 by Wilkening. Second by Gilbert. Motion carried 4-0-1. Supervisor Danielson abstained as his company presented a claim for payment.
- Preliminary budgets were revised after Board of Audit meeting and final budgets for 2019 presented to Township Supervisors for review and approval. Motions were made as indicated below.

Budget Area	Amounts Approved		First/Second	Carried?
	Receipts Budgeted	Disbursements Budgeted		
Fines & Fees	21,400	10,250	Babler/Danielson	Unanimous
Fire Bond	30,075	41,200	Wilkening/Babler	Unanimous
Fire*	82,900	161,000	Gilbert/Danielson	Unanimous
General Fund	95,470	141,125	Babler/Wilkening	Unanimous
Permit Fund	142,025.00	142,212.50	Gilbert/Danielson	Unanimous
Road & Bridge	858,500	1,169,000	Gilbert/Wilkening	Unanimous
Town Hall	15,510	21,000	Danielson/Babler	Unanimous

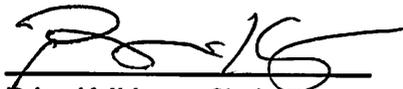
- *Recommending annual increase to this budget of \$10,000 per year at this time as the surplus left from when we had to levy to cover Fire Chief salary and then Fire Chief no longer salary position has been used up.
- Motion to approve Treasurers report as presented by Danielson. Second by Wilkening. Motion carried, all voting in favor.

CLERK'S ITEMS – LUCINDA MESSMAN

- Date Reminders:
 - 3/26/2019 Short Courses
 - 4/9/2019 9 am LBAE
 - 4/18/2019 Town Law Review in Otsego
- Supervisor Babler will look into getting additional/new/altering lighting for main room.

No other business

Meeting Adjourned 8:28 p.m.



Brian Kolbinger, Chair



Lucinda Messman, Clerk