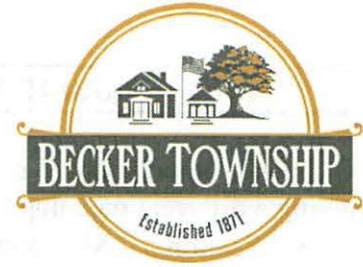


Becker Town Board Meeting  
Regular Meeting 7:00 p.m.  
Monday, May 16, 2022  
12165 Hancock Street

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**Attending,**

- ❖ Board members: Chair Brian Kolbinger, Vice Chair Brad Wilkening, Luke Babler, Robin Boros, Joe Danielson, Treasurer Tanya Danielson, Clerk Lucinda Messman Deputy Clerk Fran Seeley, Deputy Treasurer Marilyn Danielson
- ❖ Absent: none
- ❖ Others: – Sherburne County Sheriff’s Department, Wes Davis – Twp. Engineer, Kelli Bourgeois – Twp. Attorney, Ben Wikstrom – Township Planner, Mary Roe – Planner, City of Becker, Tony Wruck – Township Maintenance Contractor
- ❖ Zoom platform was available for anyone who wished to call in virtually.

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Meeting called to order at 7 pm. Quorum verified by Chair Kolbinger.

Pledge of Allegiance

**CONSENT AGENDA ITEMS APPROVED**

Minutes

- a. Road Tour Minutes April 30, 2022
- b. Regular Town Board Meeting Minutes April 18, 2022

Upcoming Electronic Fund Transfers/automatic payments for approval

- a. City of Becker – water/sewer
- b. Xcel Energy – gas/electric
- c. Ace Disposal – Twp maintenance
- d. Advanced Disposal – Twp hall
- e. Midco Business – phone/internet
- f. Related to payroll: Federal payroll taxes, state payroll taxes, PERA
- g. State of MN for building permit surcharge fees

**Motion to approve consent agenda as listed above by Boros. Second by Babler. Motion carried all voting in favor.**

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

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**Sheriff’s Report – Aaron Sturm**

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- 250 Calls for service
- 131 Traffic Stops
- 10 accidents
- Fairly standard month

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## PUBLIC HEARING – BUILDING CODE AMENDMENT

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Ordinance amendment to cleanup and streamline the permit process. A few parts get redundant giving a different meaning than intended.

- Section 5 – Maximum depth below grade
  - Delete as shown:
    - The lowest floor shall be set at or above the Lowest Floor Elevation (LFE) ~~or a minimum of one (1) foot above mottling (based on a soil boring), whichever is higher~~, and shall be shown on a certificate of survey to be submitted with building permit applications.
  - Add as shown:
    - Residential buildings, **building additions, and accessory structures** exempt from Certificate of Survey requirements, as stated in Section 6, Subd. 1. B., shall be required to submit a soil boring **data**. Additionally, a proposed LFE and soil boring data shall be shown relative to a published benchmark.
  - Engineer Davis created a chart for staff to use for both LFE and COS. Streamlines and allows staff to answer questions easier.
- Section 6 Certificate of Survey Requirement
  - Add/Delete as shown
    - All applications for building permits for properties ~~in~~ **on** which a new structure ~~is being built~~ or an addition ~~is being added~~ that changes an existing building footprint **is being built**, with the exception of Subd. 1 below, must be accompanied with a registered certificate of survey including all of the information contained in Subd. 2 below.
    - **Subd. 1. Exemptions.** The following building permit applications shall be exempt from the above certificate of survey requirements.
      - **A.** Structures that are constructed to allow for the passage of storm water, and **do not force drainage onto adjoining parcels**, ~~does not change the site topography or drainage patterns~~, including but not limited to decks, gazebos, **accessory structures, additions**, and driveways, provided all of the required setbacks are met.
      - **B.** Residential buildings, **additions, and accessory structures** on five (5) acres or more where the property lines can be clearly identified and the setbacks clearly met as determined by the Zoning Administrator or Building Official. A House Staking Town of Becker Building Code Ordinance | Page 2 of 4 Certificate (Site Plan), signed by a Registered Land Surveyor and showing the proposed building relative to the most restrictive setback and most restrictive physical feature and a minimum of one (1) foot above mottling based on a soil boring, shall be required.
      - **C.** Residential building addition provided the following:
        - 1. The project does not change the site topography
        - ~~2. The project does not change drainage patterns~~
        - 2. The project does not force drainage onto adjoining properties
        - 3. The site is not located within the 100-year floodplain

- 4. The building addition complies with all zoning district setbacks, and easements of record.
- 5. In place of a registered survey, a detailed site plan showing the following items must be submitted with the building permit application.
  - a. Scale of drawing, north arrow, and a legal description of the property
  - b. Dimensions of all lot lines, and all easement of record
  - c. Names of all abutting streets
  - d. Location of all existing and proposed buildings, accessory structures, and future garage and deck locations on the lot
  - e. Outside dimensions of the existing structure and proposed addition including decks, porches, stairways, fireplaces, bay and bow windows.
  - f. If necessary, should the proposed addition be set close to an apparent lot line, and the Building Official and/or Zoning Administrator is not able to determine the setback, the applicant is responsible (via property corners or a registered land surveyor) to prove the exact location of the existing lot line, and that the structure will not encroach within the required setback area.
- ~~D. Accessory structures on lots where the property line is clearly identified and the setback requirements are clearly met as determined by the Zoning Administrator or Building Official.~~
- D. Accessory structures not requiring a building permit shall meet all setback, easement of record, and other zoning and site requirements of the applicable zoning district. Should the proposed structure be set close to an apparent lot line, and the Building Official and/or Zoning Administrator is not able to determine the setback, the property owner is responsible (via property corners or a registered land surveyor) to prove the exact location of the existing lot line, and that the structure will not encroach within the required setback area. Or the structure must be moved to a location that is clearly outside the required setback area.
- No public comment received
- **Motion to close the public hearing by Wilkening. Second by Babler. Motion carried, all voting in favor.**

Discussion:

- Makes sense and burns less time if borings are not necessary, but clear when they are. Saves time for Contractors/Engineers/Planners
- **Motion to approve Ordinance 2022-01: An Ordinance Amending Section 5 and Section 6 of Ordinance 2019-01: Building Code, Construction Licensing, Permits and Regulations by Wilkening. Second by Boros. Motion carried, all voting in favor.**

- **Motion to approve Summary Ordinance 2022-01: An Ordinance Amending Section 5 and Section 6 of Ordinance 2019-01: Building Code, Construction Licensing, Permits and Regulations by Wilkening. Second by Babler. Motion carried, all voting in favor. 5-0.**

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### Midco Grant Request

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Dan Weber, Sherburne County and Melissa Wolf, Midco Government Relations presented information via zoom to the Town Board members.

- Sherburne County has a grant program utilizing ARPA funds.
- Midco applied.
- If Township will not contribute some level of funding, the project dies.
- Over the past several months, there have been questions from the Township and answer has been no funding will be provided.
- Midco
  - These are listed as underserved areas. Looked where they are located and some federal funds are available
  - 2021 did a build out using federal funds (Bridgeview and other areas south of highway 10)
  - Federal fund areas shown in blue and purple (map retained in packets folder for this month)
  - Midco will build all green areas shown over next few years. Orange is township and county fund they are looking for. These are not densely populated areas.
    - Goal is to provide affordable connectivity
    - 49 in the orange area
    - 72 homes in green area
    - 121 total – cost to run service to these is \$403,385
      - Grant request for \$257,000
      - Midco will pay difference
      - Q: what is breakdown per home that is township financed? A: estimate 8,200. Midco will typically spend up to \$3,000 to provide service, what is over that is not covered.
      - Q: if the township foots the bill for this amount, do the residents receive a discount on their service? A: No
      - Town Supervisor comments
        - Seems like Midco is benefiting rather than our residents.
        - What type of speeds are they going to get?
          - Offers will be 1 Gb up/down for just under \$100/month
          - 50/50 mb approx. 50/month
          - 25/25 mb (economic package) = 14.95 per month
          - Unsure if 2 or 5 GB service will be available in these areas
        - We hear 4 unserved and 45 underserved. How many of the residents in this area want this? A: do not know. All this does is make the service available to them. Rates above are

estimates at this time, not firm. There are 121 total addresses in both the green and orange areas.

- So if the Township gives no money, Midco will not do any of the 121 addresses? A: Correct. Midco will do the blue areas, but not the green or orange
- Weber: it is a ripple effect once the infrastructure is in place. Fiber lets fiber continue to do extensions.
- Q: Does our participation impact Santiago Twp? It stated it would originally. A: No, we separated the requests
- Using 121 homes, gets it to 1500/home
- Q: what is the build-out time? A: anticipate 2023 Black areas are 2022, Green would be 2023 if township assists in funding
- What is participation? Prior to ARPA, used MN Deed Border to Border. Since ARPA, partnered with 4 counties, some townships and some cities.
- Q: No discount to customers if we participate by providing some funding? A: No.
- Giving money to a public company seems like it is not helping our residents, just getting them to a faster speed if they choose to take it.
- Timeline: County board in June (after the Town Board June meeting) – not a rush. While \$75,000 was requested, even if the township would participate at as low as \$5,000 it would assist.
- No one attending is in an area looking for higher speeds.

Board members thanked those attending for their information. This is something the Town Supervisors will need to talk through and they wish to talk to some homeowners in the area and see if they want this. No action will be taken this evening.

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### Residential Open Forum

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- None

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### PLANNING COMMISSION/JOINT PLANNING BOARD UPDATES – Wikstrom

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- Activity
  - 2.5 Acre Lot plat
  - Finalization of Home Business Ordinance with three tiers
  - Xcel Energy pulled their CUP along County Road 11 and will remain in the ROW
  - Becker Public Schools Transportation Facility along county Road 67 was reviewed this month. Township is in the process of amending its ordinance to allow this use. The land has been slated for the school use in the comp plan. Preliminary and Final plat of the land as well. Planning Commission has recommended approval of ordinance, use and plat.
    - No major issues

- Engineer letter of response – they are working to provide requested information
- Staff level design standards with Planning Commission Chair Wilkening unanimously approved
- Cole Johnson Variance application off 137<sup>th</sup>. Similar to the Chad Dalheimer request a few months back.

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### ENGINEER'S REPORT – Davis

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- Working with Knife River to setup pre-con
- 97<sup>th</sup> Utility relocates this summer and easements for permanent land easements
  - Working through planset so it is ready to mesh with City in June
  - Working with Clear Lake Eyk/Gary Gray
- Preliminary 157<sup>th</sup> Drawing with legals
- Road Tour – viewed 170<sup>th</sup> street

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### Supervisor Reports

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#### Fire Board – Supervisor Babler

- Met with City of Becker regarding American Legion building next door
- 20 years ago engineering said bad. Looking at cost of \$1,000 to have engineer check out now. Would like Township to pay ½ the cost. City would pay other ½. **Motion to approve the Cost of \$1,000 to have engineer review the building by Danielson. Second by Babler. Motion carried, all voting in favor.**

#### Central Mississippi River Regional Planning Partnership – Supervisor Kolbinger and Planner Sanders

- Back to basics – meeting restructuring
- Questions back to state to find out how we get back to goal of bridge crossing

#### Roads – Supervisors Boros and Danielson

- Fire signs shown to Town Board – they arrived
  - Private roads – they will be at end of drive in cluster
  - If owners grant access – they will be in front of driveways as well to facilitate emergency responders
- 170<sup>th</sup> at Bridgeveiw – 2 quotes received
  - MN Paving @ \$91,642.50
  - Knife River @ \$91,324.00
  - Cannot do as a change order. Road needs to be upgraded.
  - Contract?
  - **Motion to approve apparent low bidder by Wilkening. Second by Danielson. Motion carried, all voting in favor.**
- 67<sup>th</sup> Street
  - Attorney recommendation – no one signs anything as it is not clear. Does current quote reflect the work to be completed? Santiago needs to sign any contracts.

That is what the Township contract with them states. They are doing the contracting, not Becker Township.

- Issues: missing items – rip rap at flares is included now and concern with size of culvert – is it large enough? Historical discussion
- Supervisors Boros and Danielson to attend the next Santiago board meeting to clarify.
- Gravel Portion of 67<sup>th</sup> that was not done last year – plan to get quotes by their meeting and ask for participation. Will report back after their meeting.
- General Maintenance – would like to modify next year’s contract with GPS requirement

**Other**

- Tobacco license renewal. **Motion to approve and send favorable comment by Wilkening. Second by Danielson. Motion carried, all voting in favor.**
- Trimble Maps – ok for clerk to send information
- All Nigh Grad Party – **Motion to approve awarding the remaining balance in donation budget of \$1,050. Recommend they turn in request sooner next year. By Wilkening. Second by Boros. Motion carried, all voting in favor.**

**Treasurer’s Report**

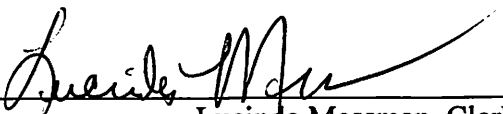
- **Motion to approve Treasurer’s Report as presented by Wilkening. Second by Babler. Motion carried, all voting in favor.**
- **Motion to approve payment of Warrants 15474-15506 and PO’s 1455-1460, in the amount of \$123,529.90 by Babler. Second by Wilkening. Motion carried. Voting in favor: Babler, Boros, Kolbinger and Wilkening. Danielson abstained as his company had submitted an invoice.**

**Other**

- **Motion to increase carbonite backup space as necessary by Kolbinger. Second by Wilkening. Motion carried, all voting in favor.**

Meeting Adjourned 8:08 pm.

  
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Brian Kolbinger, Chair

  
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Lucinda Messman, Clerk