

Becker Township Board
Town Board Meeting
May 21, 2018

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, Jacob Sanders – City and Township Planner, Wes Davis – Township Engineer

Others present: Sgt. Dan Franks – Sherburne County Sheriff’s department, Tony Wruck – Wruck Excavating, Bill Morgan – Citizen Tribune Newspaper, Jeff Peterson – Township Signing, Craig Wensmann – Bogart, Pederson

Meeting called to order and quorum verified by Chair Kolbinger.

Consent Agenda Items –

1. Minutes
 - a. Local Board of Appeal & Equalization Minutes
 - b. April Regular Meeting Minutes
 - c. April Road Tour Minutes
2. Upcoming electronic fund transfers/automatic payments approval - City of Becker – water/sewer; Xcel Energy – gas and electric; Ace Disposal – container at Jeff’s; Midco Business – phone and internet;
3. Upcoming EFTS related to payroll: Federal and State - mandated rates - total available at meeting, PERA – mandated rates, total available at meeting
4. Correspondence
 - a. Election Related – 24 names received from State Party Lists
 - b. Becker Lions Club notice
 - c. Sherburne County Coalition of Lake Associations Event
 - d. Land Use Law Seminar
 - e. Government Center Ribbon Cutting Event
 - f. Final 2018 Cleanup Day Grant Agreement Received
 - g. 137th use as a Temporary Trunk Highway Haul Road Designation – MnDOT
 - h. USDA Section 502 Loan program
 - i. Heritage Trails Platting Completed, return of escrow request
 - j. KDV – revised audit cost due to new requirements – motion to approve Treasurer signing documentation.

Motion to approve consent agenda items as presented by Wilkening. Second by Danielson.

Motion carried, all voting in favor.

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

Sheriff’s Report

- 192 Calls for Service
- 84 Traffic violations
- No significant items to note this month
- 127th Street had some traffic complaints earlier in the month. More patrol and they have not heard back.

PUBLIC HEARING – DRAINAGE EASEMENT VACATION

Sanders reviewed staff memo [full text on file: Boulder Crossing Second Addition] with board.

- Vacate center east/west drainage and utility easement between lots 2 and 3, block 3 in order to combine the two lots into a single, larger lot.
- The north/south drainage and utility easement is to remain in place.

Richard and Susan Hanson were present to voice question regarding change in water flow if a drainage easement is vacated.

- Sanders explained the east/west drainage and utility easement is a standard requirement when platting and is placed around all lots to allow township access if necessary.
- Wensmann stated that the general drainage (north/south drainage and utility easement) will continue to work as designed in the original Boulder Crossing Plat. The water flow should not change and flow towards your home.
- Chair Kolbinger reminded those present that standard drainage issues are addressed when building permits are submitted and that homes would not normally be allowed to be placed on what is now the north/south drainage and utility easement. The north/south easement as shown in preliminary and final plats is not being vacated.
- Memo submitted to Township Clerk was read. Text follows:
 - I am writing to express my concerns about the combination of two lots in the Boulders Crossing neighborhood. My general concern is not with the combination of these lots but with the general protective covenants, conditions and (sic) restrictions in itself. It seems that these restrictions are being followed less and less as the neighborhood develops. I worry that with a large lot being vacated that those rules such as "stick built" dwelling will lean more towards giant pull sheds with steel siding, which was believed to be against restriction code. Also garage/ other buildings erected while primary dwelling is being constructed. Trash and other debris have been an issue with some of the new construction in the neighborhood.

It seems uncertain how closely management is taking these concerns into thought but these are some concerns that a few in the neighborhood have expressed.

Resident of Boulder Crossings.

Zoning effect of this would be to allow for a larger home and accessory structures. Covenants (not enforced by township) enforce the aesthetics.

Motion to close public hearing by Wilkening. Second by Danielson. Motion carried, unanimous.

Discussion

- Building size is determined by code
- Covenants are up to the homeowners to enforce
- Reasons for increase in lot size discussed

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- **Motion to approve RESOLUTION 2018-12: A RESOLUTION APPROVING VACATION OF A DRAINAGE AND UTILITY EASEMENT BETWEEN LOT 2 AND LOT 3, BLOCK 3, BOULDER CROSSING ADDITION by Wilkening. Second by Danielson**
 - Discussion:
 - concern expressed by Supervisor Danielson that that drainage ditch never be blocked
 - Supervisor Babler – reasoning behind calling it a drainage and utility easement when not always used for that purpose
 - Chair Kolbinger asked Township Engineer for his opinion regarding this drainage and utility easement vacation. Engineer Davis stated he didn't see any issues with vacating the east/west drainage and utility easement.
 - **Motion carried, all voting in favor.**

Open Forum

- Joel Gindele was present with a concern regarding pavement damage by snowplow contractor on 174th. He submitted photos prior to the road tour and wondered when the repairs would take place. He wanted to be sure that the area was inspected closely.
 - Supervisor Gilbert stated we were waiting on asphalt plants to get going and Tony Wruck, Wruck Excavating was present who stated that he is planning to do the repairs the first week of June.

Town Planning Commission/Joint Planning Board Updates

- Currently two boundary line adjustment applications are going through for parcels moving boundary lines. A Special Town Planning Commission meeting is scheduled for 6 pm tomorrow night to hold public hearings for the Boulder Crossing Second addition preliminary and final plats.

Engineer's Report

- 185th Avenue –
 - A change in construction status was completed last week
 - Grading is being done
 - Centerline and drive culverts are in
 - Ready for class 5.
 - At 118th/113th/114th side streets, the culverts had to decrease in size (lower than township standard) to maintain bituminous integrity. This change was discussed with Road Supervisor Gilbert.
 - Supervisor Danielson asked if change to oval had been considered
 - Engineer replied no, based on time constraints, 12" pipe would meet the hydrolic demands
 - Supervisor Wilkening stated that squashed pipe is very expensive
 - Seeding should happen on schedule

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- Current timeline is for paving to occur 6/15-23/2018. The County has control over paving dates, we do not.
- Kraemer is grading right now
- Plan is to be paved road prior to July 4th.
- 185th Avenue North Designs presented
 - 30/40 mph drawings viewed [drawing location: 185th Ave North in road file]
 - Both designs will require some right of way acquisition
 - Recommendation for advisory plaque (20 mph) for curve if no acquisition of land is achieved.
 - Discussion regarding reverse curves using more of the wetland area & overdesign requirements if that option would be selected.
 - Borings have been completed.
 - Supervisor Danielson would like to see 30 mph conversation from a safety perspective. If it stays at 20 mph, a stop sign might be a better option.
 - Supervisors Danielson and Babler will talk to landowners.
 - Engineer directed to do a bump out design to the North to determine effect on land and let board see the costs
- **Motion to approve JOINT POWERS AGREEMENT BETWEEN SHERBURNE COUNTY AND BECKER TOWNSHIP FOR THE INSTALLATION OF PAVEMENT MARKINGS by Babler. Second by Danielson. Motion carried, all voting in favor.**
- Staking – 8 areas were listed as staking candidates on road tour. Discussion regarding how many to do and timing.
 - Board directive – stake four first. Then work with Road Supervisor Gilbert once complete and see what is found. Order to stake:
 1. 112th Street SE - from CR 51 to Dead End - to parcel id 05-126-2105
 2. 117th Street SE - from CR 51 to Dead End
 3. 77th Street SE - from Dead End to CR 27
 4. 95th Street SE – from CR 93-Cul De Sac
 5. 175th Ave SE – from Lutz to 67th Street
 6. 107th Street SE – from CR 67 to Dead End
 7. 190th Ave SE – from CSAH 16 to Town Line
 8. 190th Ave SE – from 95th Street to Dead End
 - Board needs to make formal decision as to length of 112th Street SE. Marketable title act may have impact.
 - Clerk to send road orders on file for roads above to Engineer
- CIP Update – inventory – condition – then CIP still being worked on

Supervisor Reports

- Fireboard – Supervisor Babler
 - 45 Calls for service, budget meeting next month
- Parks, Trails, Active living – no report this month
- Highway 25 Coalition – Supervisor Kolbinger

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- Next key pieces are pulling data together and finishing out study. Some public hearings will be done – one was done with various options shown.
- Road Report – Supervisor Gilbert
 - Road conditions and inventory being reviewed
 - Speed limit signs discussed. Wildwood will be getting new 35 mph signs
 - Complaint regarding driving too fast. Why can't 25 mph signs go back up?
 - 2 Rural Residential districts in Township – both cluster septic design with much smaller than average lot sizes. They can maintain 25 mph due to driveway spacing. Others are at 35 mph
 - Jeff Peterson said signs should be installed soon. Some locations still have old signs that are being replaced. Signs should all be in by end of year.
 - Peterson: As enter development, can the 35 mph and no outlet signs go on a single post? Board consensus: No, it is too busy. Space them out at 100 feet.
 - 172nd Cul De Sac pillars and rocks – Status? Discussion took place
 - Pull obstructions and leave right of way?
 - Move pillars and leave drive way?
 - Easement to property doesn't exist (parcel identification 05-422-0205)
 - Board wants to retain ownership of right of way
 - Attorney Bourgeois clarified that it is not platted right of way, but an outlot that was deeded to the township (parcel identification 05-422-0010)
 - There is not a right of way issue, it is an encroachment issue. Landowner should be notified.
 - There will likely be title issues for owner in case of sale – check for easement
 - The Township has much more control over an outlot than a right of way
 - Board tabled any decisions until next month
 - CR 50 – road by Midwest Bus
 - Call Bus Garage Road for inventory – number/name? leave as is else would require owners on road to change addresses
 - No maintenance records past 5 years
 - Road order exists
 - Board consensus –
 - mowing only at this time
 - mark as minimum maintenance road with no outlet sign
 - do not change address
 - Minimum maintenance resolution required with appropriate legals.
- Building Code Ordinance
 - 3 items need revision in the ordinance
 - Mottling – see packet for possible verbiage description handed out – discussion on verbiage
 - Clarification on certificate of survey requirements for parcels over 5 acres
 - Veering from plat grading plan – how to handle

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- Sanders – original language changes were suggested in February, then changed, then tabled. Goal is to do what the board wants, but it has been unclear.
- Board directives
 - Sanders to work with Craig Wensmann, Bogart Pederson and Township Engineer Davis
 - Draft something regarding house staking required for parcels over 5 acres
 - Draft something regarding mottled soils at less than 3’ separation. Some board members feel 1’ separation may not be enough and that we would be back in the same position as several years ago.
 - There are more checks and balances now
 - Mottling is subjective and determined by septic designer
 - Wensmann suggested considering preliminary borings and as built
 - Draft something regarding veering from plat grading plan will require a letter from an engineer
 - Complete the language for those three items. Wensmann was asked to double check with the county to see if there are any changes to their ordinances regarding these areas in the works
 - Move forward with language draft to board for June meeting
 - Plan for public hearing in July
- Hideout signs are still in storage. These need to be transferred to the Hideout Property and cost added to assessment. **Motion to approve addition of reasonable transportation costs to the fees of \$907.28 as presented for assessment and then clerk to mail the billing by Wilkening. Second by Babler. Motion carried, all voting in favor.**
- **Motion to reaffirm RESOLUTION 2018-08: A RESOLUTION CERTIFYING DELINQUENT EMERGENCY ABATEMENT OF PUBLIC SAFETY HAZARD FEES AND RELATED INTEREST [full text on file] and call for Notice that the Becker Town Board will meet at 7:00 p.m. on June 18, 2018 at Becker Township Hall, 12165 Hancock Street, Becker, MN to consider, and possibly adopt, the proposed assessment for the removal of boulders in the right of way abutting the property at 15787 103rd Street SE, Becker by Danielson. Second by Babler. Motion carried, all voting in favor.**

Treasurer’s Report

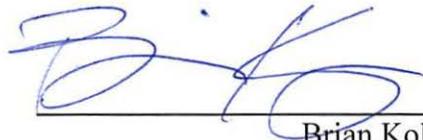
- KDV has added a \$7,500 conversion fee treasurer was unaware would occur. She will question them, but likely we will have no choice but to pay. It is not being paid until questions are answered.
- **Motion to approve Treasurer’s report as distributed by Babler. Second by Gilbert. Motion carried, all voting in favor.**
- **Motion to approve payment of warrants 13853-13884, eft’s 1016-1020, 1022-1023 in the amount of 73,097.79 by Wilkening. Second by Gilbert. Motion carried, 4-0-1. Supervisor Danielson abstained due to his company presenting a bill.**

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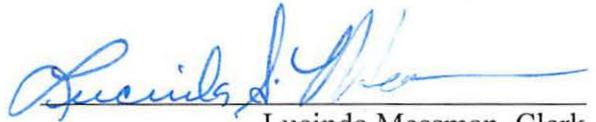
Other

- Clerk would like to discontinue cleaning contract due to poor performance. Board agreed and ordered clerk to obtain some pricing to bring to next month's meeting.
- Ramp photos displayed and new design/repair is required. Supervisor Danielson to work with Bogart Pederson to come up with revised design. Clerk asked about secondary ramp as the last election had quite a few more wheelchairs requiring access and the flow is difficult given only a single ramp. Danielson will look into possibility of wider footing design. Sanders will double check permit requirements with the City of Becker when they are in conjunction with meeting ADA requirements. Other option possibility, rental of a ramp for the front steps.

Meeting adjourned at 9:15 pm.



Brian Kolbinger, Chair



Lucinda Messman, Clerk