

**Becker Township Board
Town Board Meeting
February 26, 2018**

Board Members Present: Brian Kolbinger, Brad Wilkening, Gary Gilbert, Joe Danielson (7:53 pm), Lucinda Messman, Tanya Danielson

Board Members Absent: Luke Babler

Staff members present: Kelli Bourgeois - Township attorney, Ben Wikstrom – Township Planner, Jacob Sanders – City of Becker Planner (7:35 pm), Wes Davis – Township Engineer

Others present: Sgt. Dan Franks – Sherburne County Sheriff's department, Tony Wruck – Wruck Excavating, Donna Jackson

Meeting called to order by Chair Kolbinger at 7:00 p.m., quorum verified.

Consent agenda presented.

1. Minutes for approval, January Regular Meeting Minutes, January Roads Workshop 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, Advanced Disposal – container at Town Hall, Midco Business – phone and internet, PERA – mandated state retirement program, Payroll taxes – mandated Federal taxes, Payroll taxes – mandated State taxes
3. Acknowledgement of receipt of reports: 2017 SSTS Annual Report, 2018/2017 Taxable Market Values, Census Boundary and Annexation survey letter, Mini-grant Active living Program, RLI Status Inquiry, Sand Hill Septic Report 2017 (1st time forwarded to Township)
4. Authorization for signatures, Municipal Delegation Agreement
5. Acknowledge Receipt of Donation Request, Safety Camp

Sheriff's Report

- 243 Calls for service
- 115 Traffic Stops
- IRS Scam has picked up. Remember, IRS will not call asking for information.
- Last snow – snowmobiles were blocking right ways in some locations

Open Forum

Donna Jackson, 122nd Street

1. The road is being widened by the grader and plowing. Talked with plow driver in the past, had trouble reaching Supervisor Danielson. After the plow passes the mailbox, they get wider and cuts into the ditch and are changing road dimensions. She does not want the road to get wider and keep a clear understanding of where the road is located. It is only widening on her side of the road, not the other.
2. Supervisors stated that it is important to have ditch areas cleared so standing water isn't standing on the road.
3. Supervisor Gilbert didn't think photos shown looked wrong, but set to go out to her location and look to see what is happening.

Public Hearing Opened
Winter Parking Ordinance

Wikstrom

- Staff was directed to come up with an ordinance over the past months in regards to areas of subdivisions that are being blocked by parked cars.
- Ordinance to include misdemeanor language for transgression.
- Research has been done and nothing matches what the Township is requesting, however based on goals, draft was presented in staff memo format.
- Discussion with Town Board Supervisors
 - Platted language- good or bad?
 - Hardships?
 - Penalty section
 - Dates
- No other comments were brought

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

Discussion of Winter Parking Ordinance

- Intent of ordinance is to get cars out of the way when plows need to get through
- Discussion of how, including timing of year/day, should it be year round, what is the exact goal
- It was determined it was too broad to say no parking on township roads from November 1 – May 1 each year.
- Attorney Bourgeois stated that it is best to be very tight and maintain a narrow focus with the ordinance. She will verify that legally an ordinance can state no parking on streets in a township.
- Contractor stated it takes 6-7 hours, on average, to plow the township.
- All board members would like to narrow the calendar time. November 15-April 1 sounds better
- Other board discussion
 - Does it have to state misdemeanor? Can we have vehicles towed?
 - Wikstrom instructed to read through the City of Becker language as well
 - Use November 15 – April 1
 - Check if hours of keeping roads clear are needed
 - Will work with Attorney Bourgeois for a simple draft next month

Planning Commission/Joint Planning Board Updates

- CUP revocation process is continuing in regards to removal of a Contractors Yard CUP at parcel 05-010-1001 (soon to be Oakwood Church). Joint Planning Board to render decision tomorrow night.
 - Q: is the revocation dropped if the deal with Oakwood Church falls through? A: no. The sellers didn't request to keep the CUP. While Joint Planning could hold off on the revocation, since no one expressed concerns to staff or attended the planning commission public hearing, there is no reason to delay the process.
- Access issue complaints. The Joint Planning Board will hear several people tomorrow night regarding issue coming in about access to properties.
- Salida Right of Way

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- Town Planning Commission did not have any recommendation to forward to the Town Board.
- Attorney Bourgeois stated she is waiting for a response from Dove Fretland regarding the Marketable Title Act plus this afternoon the clerk found another record that needs to be reviewed before an opinion can be given. Would like to wait until next meeting to present opinion as this gets more complex the more digging that is done.
- At issue – Is the frontage road owned by the Township or County? It was granted in 1974 as a part of the Salida Plat.

Engineer's Report

- Standards update is underway. Working to simplify and consolidate items to be sure it reflects what we do and matches the goals of the township.
- CIP Update – currently working on the map and spreadsheet to have all history and current status. Making the documentation more understandable and readable as well as goal of being able to answer 90% of all road questions by reading the documentation.
 - Start/stop points of each road
 - When completed this should be comprehensive and very detailed.
 - Supervisor Gilbert is working with Township Engineer
- Monuments and mapping request from the County has been submitted
 - Monuments are survey corners/pieces that usually designate property lines. They are reference points for surveys.
- LFE /Certificate of Survey Discussion – Davis & Sanders
 - Current building code states that properties over 5 acres are exempt from certificate of survey. Engineer is being asked to approve a Low Floor Elevation without a survey. Without a survey or borings or something to tie the LFE back to, there is no way to establish that the LFE is at least 3' above mottled soil as our code requires.
 - Is there something simple that can be used without a full survey? Engineer felt that the good septic reports are all tied to an elevation, can something similar be done to tie the LFE into some sort of datum? Possibly require getting at least a boring at house location and drainfields.
 - Cannot be approving permits if the house isn't at least 3' above mottled soil.
 - Plus – if these are done, it should speed the permit process up.
 - Draft language for building code ordinance could be obtained from some of the septic language – at least that language provides some good examples.
 - Why is this issue? If we don't verify that the LFE is 3' above mottled soils and 5 years later it would flood – liability could be on the township.
 - Staff was directed to work on language.
- 2018 Striping Contract with Sherburne County
 - \$.04 per linear foot plus fog lines
 - 82nd Street SE
 - 87th Street SE
 - 185th Avenue SE
 - **Motion to proceed with the striping contract joint with Sherburne County by Danielson. Second by Wilkening. Motion carried, unanimous.**
- 2018 Paving updates – curb and gutter added to portion of 185th Avenue SE
 - Resurface the south portion with class 5
 - 26' top mat width (1' on shoulder each side)

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- 185th widened in an area – smaller shoulder, but wider blacktop. Shoulder is the same size as it was before, just that 1' of the shoulder is going to be paved. This should make the road last a bit longer
- Concrete portion is the same contract with the county
- Engineer Estimates are available and bidding is currently occurring.

Supervisors Reports

- Fireboard – Supervisor Babler – Standard meeting. Accepted donation from Liberty Paper for equipment.
- Active Trails – Supervisor Danielson – last meeting cancelled
- Highway 25 Corridor – Supervisor Kolbinger
 - Open house was held on 2/13/2018
 - Monticello website had options listed
 - Feasibility study for River crossings
 - This is 10-15 years away
 - They will create their own communications
 - This group took over for other MN Dot River Crossing Study
- Highway 10 project this summer open house will be coming. Clear Lake to Big Lake accesses changing.
- Joint Powers Agreement with Sherburne County Paving company
 - Section 4 changed before chair signed so a new motion is required. **Motion to approve signing the Joint Powers Agreement with Sherburne County in relation to the 185th Avenue paving project by Wilkening. Second by Danielson. Motion carried, unanimous.**
- Road Supervisor. Supervisor Danielson needs to step aside as Road Supervisor. Gary Gilbert nominated to be the new Road Supervisor. **Motion by Danielson to approve RESOLUTION 2018-07: A RESOLUTION DESIGNATING A ROAD SUPERVISOR AND ALTERNATE ROAD SUPERVISOR IN CONJUNCTION WITH ANY ROAD SERVICES AGREEMENTS THAT THE TOWNSHIP HOLDS with language changed to Gary Gilbert as Road Supervisor [full text on file]. Second by Wilkening. Motion carried, unanimous.**
- Designation of 107th Street SE as Minimum maintenance road. When reviewing records it was noted that for some reason it was missed when other roads were re-declared minimum maintenance last year. **Motion by Danielson to approve RESOLUTION 2018—06: A RESOLUTION DESIGNATING AND REAFFIRMING THE DESIGNATION OF 107th STREET SE MINIMUM-MAINTENANCE ROAD IN BECKER TOWNSHIP, SHERBURNE COUNTY, MINNESOTA [full text on file]. Second by Gilbert. Motion carried, unanimous.**
- Road Report –
 - Issue with snow being pushed across roads. This is a violation of state statute. Decision of the board is to create at least an annual if not quarterly newsletter for distribution to all households in the township. Do the first one shortly after the March election.
 - 77th Street has been plowed – report had come in that it had not.
 - Trimming concerns presented. Andersons on Filly Trail had a tree with a large spot of bark that came off with the branch. What if the tree dies, who is responsible?
 - Attorney Bourgeois: If the tree dies, the Township is responsible. The Township would then go to the contractor. Notification requirements **MUST** be followed

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whenever a tree is going to be removed. Trimming as severe as what was shown, in her opinion, should be notified.

- No one has pulled a tape measure to see exact location of the tree. Board discussion on how to do this better. Trimming to do back cuts so bark doesn't peel down.
- Other snow plow issues with approaches.
- Mailbox issues – include notification/guidelines/rules in newsletter

Treasurer's Report

- Funds transferred as board ordered last month
- Scenic Hills still has escrow money from the bankruptcy. Hidden Haven developers funds went to Anastasia Jellum Bankruptcy Attorney. It is believed they are still escrowed there. The Scenic Hills money is in the Township name and it would be prudent to move it now that the roads have been accepted for maintenance so the township is no longer responsible for this money. Town Board action will be required for release. Attorney Bourgeois will be speaking with the Anastasia Jellum Attorney regarding this release and procedures. Clerk will verify that since 2011 all funds that should have charged to these accounts have been. Bills could include Attorney for Township, Attorney at Anastasi Jellum, Attorneys at Dove Fretland, Engineering regarding acceptance, planning, clerk and treasurer time.
- **Motion by Gilbert to approve Treasurers Report as presented. Second by Wilkening. Motion carried, unanimous.**
- Supervisor Danielson's company presented a claim for payment so he abstained from the voting for paying bills. **Motion by Wilkening to pay claims 13762-13781 and 13791-13799 and PO's 875757-875763 for a total of \$110,517.22. Second by Gilbert. Motion carried, 3-0-1.**

Clerk

- The Township will begin using e-pollbooks with the primary election. Currently Sherburne County will be purchasing two for township use. Due to the size of our precinct, clerk is worried two will not be enough to handle the approximately 3,000 voters in a timely manner. The City of Becker has fewer voters and decided that four e-pollbooks would be a good number. As we are similar in size, that is the clerk's recommendation. Cost is \$1,300 each plus a yearly fee for the software. **Motion to order two additional e-pollbooks for Becker Township by Wilkening. Second by Danielson. Motion carried, unanimous.** Supervisors noted that technology, while nice, is expensive. Goal of these e-pollbooks is to increase accuracy and privacy for all voter records.
- Reminder March 5 from 6-8 pm is board of audit and budget workshop.

Meeting adjourned at 8:48 pm.



Brian Kolbinger, Chair



Lucinda Messman, Clerk