

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

MEETING
MINUTES

Attending

- ☑ Township Chair Brian Kolbinger
- ☑ Township Vice Chair Brad Wilkening
- ☑ Township Supervisor Gary Gilbert
- ☑ Township Supervisor Joe Danielson
- ☑ Township Supervisor Luke Babler
- ☑ Township Clerk Lucinda Messman
- ☑ Township Treasurer Tanya Danielson
- ☑ Township Deputy Clerk Fran Seeley

Absent Board Members:, none

Attending Staff: Kelli Bourgeois – Township Attorney, Wes Davis – Township Engineer, Ben Wikstrom – Township Planner, Mary Roe – City of Becker Planner

Others Attendees: Tony Wruck – Wruck Excavating, Sherburne County Sheriff, Mark Kolbinger, Roy Plohockey – Skynett,

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

Consent Agenda Items:

- Regular Town Board Meeting Minutes October 2019
- 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
- Approvals/Acceptance
 - Summary of Substantive Joint Powers Edits in the Central Mississippi River Regional Planning Partnership Agreement.
 - Acknowledgement/Acceptance of City of Becker Community Development Fee Schedule for Planning and Zoning services, 2020.
 - 2020 application deadlines for Planning and Zoning noted.
 - **Resolution 2019-12:** Resolution Permitting use of Certain Town Road Rights-of-Way by Sherburne County Snowmobile Trail Association.
 - **Resolution 2019-13:** Schedule of Regular Meetings for 2020 for the Becker Town Board, Becker Township, Sherburne County, Minnesota.
 - **Resolution 2019-14:** Schedule of Regular Meetings for 2020 for Becker Town Planning Commission and Joint Planning Board, Becker Township, Sherburne County, Minnesota.
 - **Resolution 2019-15:** Resolution Designating Annual Polling Place.
 - **Resolution 2019-16:** A Resolution finding that it is in the Best Interest of the Township of Becker to Enter into the Central Mississippi River Regional Planning Partnership: Joint Powers Agreement and Approving of Entering into said Agreement.
 - **Resolution 2019-18:** A Resolution Designating a Road Supervisor and Alternate Road Supervisor in Conjunction with any Road Services Agreements that the Township Holds.

REGULAR AGENDA APPROVAL

Motion to approve agenda after adding Roy Plohockey to the open forum section by Babler. Second by Gilbert. Motion carried, all voting in favor.

SHERBURNE COUNTY SHERIFF'S REPORT

- Nothing irregular this month

OPEN FORUM

- Roy Plohockey, Skynett
 - Installing fiber optic service in Enchanted Thicket, Hidden Treasures, and 173rd right now.
 - Issue with Midco receiving permits at the same time for fire service. They are coming along side and wrecking his installations that are not yet complete, so cannot be marked. Wondering if the Board can delay issuing permits of similar types of utilities so one can be installed before the next comes along. No issue with the competition, but having issues with them destroying Skynett fiber. Snow early this year is causing marking issues. Looking for any assistance/ideas.
 - Engineer Davis: Typically, utility request permits arrive, and he views the area for impacts. In this case, they are working on top of each other. Do we have a responsibility here or is it a civil issue? This is the first instance we have encountered.
 - Both companies received permits from Sherburne County at the same time as well.
 - Supervisor discussion
 - Is there an issue if we hold off or is that interfering with competition?
 - Technical aspects of the procedures discussed (plowing in, boring, pushing fiber through, how locates work, marking, snow, how long until locates can be done).
 - We have never run into this before. Restoration of vegetation in the right of way could be issue.
 - If locates are marked and they are hit, contractor hitting them is responsible. If locates are not marked (and at point they can be) and gopher state has already marked the area, gopher state is responsible.
 - Sounds like very bad timing. Erosion control and turf establishment are a concern that must be watched at this point.
 - Attorney Bourgeois: without researching to verify, once the township has issued the permit, there is little they can do as far as timing. Caution to board: watch steps here as to not interfere with competition.
 - Board is looking forward to high speed internet for Township residents and thanks for bringing the matter to their attention. Will do some checking regarding issuing permits.

TOWN PLANNING COMMISSION/JOINT PLANNING BOARD UPDATES – Planner Wikstrom

- 1 public hearing this month – setback variance. Planning Commission recommended denial based on applicants lack of ability to demonstrate practical difficulties.
- Discussion of width to depth ratio in code. Is 200' road frontage acceptable or too narrow, let go the depth vs. reasons for making sure lots don't get too long and narrow. Good and bad were discussed. Board will look at in future months and do some more review.

ENGINEER'S REPORT – Wes Davis

- Utility permits – unusual situations. Both applicants provided plans, 8 different roads. No timeline given. Both provide bonds. Various ideas for remediation discussed. More to come as Legal asked questions regarding provisions for bonds/liability, possible permit expiration dates, procedures and process needs more research before a decision is made.

- Warhol in Bolder Crossing – ROW Violation. Soil washing out, vegetation is not established, they were notified with a 11/20/2019 deadline for restoration. Topsoil is still there. Frost issues at this time. Working with Engineering and clerk in the loop. Will get more completed next spring.
- Knife River, final 185th Street payment was held/voided as they have not yet submitted a final IC-134. This is required by law before the final payment can be issued. Paperwork may not be correct, once things are finalized engineer will bring a possibly revised final payment to the board.
- County Road Certification
 - Added the frontage road, 164 ½ by Accurate
 - Added 157th, but county is disputing this one.
 - Added the 100' of 67th street west of CR 11, county is disputing this one.
 - Working through things. Clerk pulled road orders.

SUPERVISOR REPORTS

Fire Board – Supervisor Babler

- Quick meeting, nothing out of ordinary.

Central Mississippi River Regional Planning Partnership – Supervisor Kolbinger

- **Motion to Authorize Town Board Chair to sign the Central Mississippi River Regional Planning Partnership: Joint Powers Agreement by Babler. Second by Danielson. Motion carried, all voting in favor.**
- **Motion to approve Brian Kolbinger and Brad Wilkening signing the Code of Conduct paperwork as formalities required for participation in the Central Mississippi River Regional Planning Partnership by Babler. Second by Danielson. Motion carried, all voting in favor.**

City of Becker – Supervisor Kolbinger

- Clerk forwarded email about a week ago from City of Becker requesting individual supervisor support of their bonding request to the State of Minnesota.
- 300 Word submission recommended to be submitted by the clerk reading: “Becker Township’s Support of City of Becker Bonding Request for Development due to Sherco Closings, WHEREAS, Town of Becker is located in Sherburne County & surrounds City of Becker & financial impacts of closings will be seen county & region wide & given the need & scope of the project, City of Becker cannot fund this alone; the Becker Town Board hereby supports the City of Becker’s Bonding Request for Assistance”
- Resolution 2019-17, support of their bonding request, could be passed and sent to legislators to show the Township formally supports the City’s efforts to get the infrastructure completed to attract business to the area.
- **Motion to approve Resolution 2019-17: A Resolution in Support of the City of Becker’s Bonding Request for Assistance to Facilitate Development of the Business Park and Lessen the Impact of the Sherco Closings [full text on file] and send to the list of committee members and legislators individually and the 300 word submission to be completed by the clerk online by Wilkening. Second by Gilbert. Motion carried, all voting in favor.**

Roads Report – Supervisor Danielson

- Supervisor Danielson and Supervisor Babler went over and inspected issue areas on 77th street and 112th street. Will go back around if the frost stays out – part of issue is due to frost.
- Contractor patched pothole on 142nd Street with cold patch. Smaller ones are there now as well that will get bigger.

- Rocks on the double CDS are removed, so are the ROW Obstructions. Images viewed. No one seems to be driving through at this time.
- Question to board – verification of what gets plowed:
 - 164th – gravel road in Salida Plat – yes plow
 - 109th street – yes, we plow. There is the swap out portion with Orrock Township
 - Boulder Crossing roads – yes, all are to be plowed by us from now on
 - 67th Street – it is Santiago’s year

Town Hall –

- Irrigation next year – to hold at same quote given this year

Other –

- General Maintenance Contract – all same duties, change dates possibly add for year to year renewal – depends on value. Attorney to review proposed verbiage with plan to open in January. Clerk to advertise for quotes as value anticipated around \$115,000.
- Fee Schedule – Supervisor Wilkening - a lot of the county fees are much higher. Reviewed actual costs of the last few land use permits as well. Recommendation to get these changed to more adequately reflect costs. Will work with staff members and set up a meeting to review and bring a revised proposal in January.

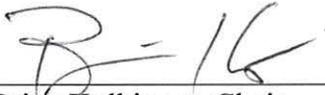
TREASURER’S REPORT - TANYA DANIELSON

- **Motion to approve treasurer’s report as distributed by Wilkening. Second by Babler. Motion carried, all voting in favor.**
- **Motion to pay warrants 114431-14457, void 14433, and PO 1185-1191 in the amount of \$33,370.77 by Gilbert. Second by Babler. Motion carried, 4-0-1. Supervisor Danielson abstained as his company had submitted an invoice.**

CLERK’S ITEMS – LUCINDA MESSMAN

- Plastic tables are currently on sale at Becker True Value. We have a broken table that is needed for elections. Would like to replace the old, heavy, wooden tables with these lighter weight plastic ones. Would like 3. Budget is tight, but we will need these in March. Savings 15 per table. Board directive to purchase three now.

Meeting Adjourned 8:19 p.m.



 Brian Kolbinger, Chair



 Lucinda Messman, Clerk