

Regular Town Board Meeting
7:00 p.m.
Monday, October 16, 2020
12165 Hancock Street

Attending

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

Absent Members: Township Supervisor Joe Danielson

Attending Staff: Kelli Bourgeois – Township Attorney, Jacob Sanders – City of Becker Planner, Wes Davis – Township Engineer; Tony Wruck – Township Maintenance Contractor;

Others Attendees: Mark Kolbinger (by zoom), Craig Wensmann – Bogart Pederson, Ted & Joann Myers, Darren Moeller, Zac Johnson, Johns Anderson (Zoom), Mary Roe (Zoom), Dan Butler (Zoom) .

Tuesday, April 7, 2020 The Becker Town Board passed Resolution 2020-15: A Resolution Establishing the Ability Conduct Open Meetings by Telephone. The Town Board of Becker Township, Sherburne County, Minnesota, will utilize teleconferencing as requested so long as a health pandemic exists or a peacetime emergency is declared under Minn. Stat. Ch. 12. This meeting was held both in person and utilizing a remote system.

Meeting called to order at 7 pm. Clerk took roll call of those in attendance. Quorum verified by Chair Kolbinger.

Pledge of Allegiance

CONSENT AGENDA

Consent Agenda Items:

- Minutes Approval: Regular Town Board Meeting September 2020.
- 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
- Correspondence acknowledgement: 2020 Cleanup Day Report, City of Becker Public Works letter, Windstream Bankruptcy Notice, Records Destruction Report 9/28/2020, Get Tested Flier, 2021 Proposed Tax Capacity Values
- Approvals:
 - Minute Correction memo
 - Rural Broadband Press Release

Motion to approve consent agenda by Wilkening. Second by Babler. Motion carried all voting in favor.

REGULAR AGENDA ITEMS

Motion to approve a regular agenda after adding 112th to Roads by Babler. Second by Boros. Motion carried, all voting in favor.

Sheriff's Report

- 161 Calls for Service
- 32 Traffic
- 10 Random 911
- 5 injury Crashes
- 185th Ave S Curve Accidents – all driver going too fast for conditions or impaired (2012-present)
- Question: Does reduced speed limit help? A: it doesn't seem to matter. New road, looks wider, people not paying attention.

RESIDENTIAL OPEN FORUM

- Zac Johnson – in to ask board to review access for his dad's parcel 05-126-1100
 - Planner Wikstrom reviewed history of this area with the board and the issue with this parcel not having road frontage.
 - Technically not landlocked as there is an easement for access
 - Code requires road frontage in order to have a driveway
 - Some roads have continual easement after easement creating issues for emergency services – want to avoid setting this precedent
 - The Joint Planning Board minutes in July 2020, wrestling with this issue were reviewed.
 - Zac stated he no longer wishes to subdivide the parcel, only build a home and he understood what the issue was with access and is willing to purchase a 66' width so he can access his parcel.
 - Attorney Bourgeois stated this would be a good precedent to set. If a standard right of way is available, then if anyone in the future wishes to subdivide the parcels the right of way could be dedicated as road frontage is available.
 - Lot width variance and if this would be a variance or boundary adjustment was discussed.
 - Attorney and Planner to meet and figure out the best route to take to solve this issue since a full road is not desired
 - Easement definition discussed/explained by Attorney Bourgeois
 - Subdivision regulations have one requirement
 - Building regulations require a driveway to access the road
 - Parcel is a non-conforming lot because the easement provides access, but not allowing building on the lot due to current ordinance.
 - Property can be used, but not built upon as the ordinance stands.
 - When easement was established – lot became as it is now. Nothing has been taken away from the property owner. They still have what they had

when easement was established. The ordinance has not changed since this parcel was created.

- Access to public roadway is the key to being able to obtain a building permit.
 - Could purchase land to do this
 - Amend ordinance to do this – takes time
 - Metes and Bounds Parcel with Direct access to public roadway would be what this is if they can have a 66’ wide strip attached to the parcel, not a separate lot.
- Easement was recorded to the three land owners.
- Definition that is a sticking point is our definition of driveway in our code. The Joint Planning Board has wrestled with this definition frequently over past months.
- After further discussion – there is a reasonable solution, but we do need to verify what the correct path is for this particular area. We have many locations that have multiple homes on them and no one cares for the roads at the standards required. It is a health and safety issue.
- Ted and Joanne Myers
 - Letters read. It has been a long 7 years.
 - Discussion of history.
 - Concerned they were doing something wrong – they asked a real estate attorney (message on file) – they are not.
 - Attorney Bourgeois confirmed their Attorney’s assessment as this is a platted road. Ordinances must apply to Township as a whole, for the betterment of the entire township.
 - Board assured it is ok to drive semi home and park in driveway. Many township residents drive semi-trucks home and it is perfectly fine to do so. At one point the Township had to make sure the rules said semi-trucks cannot be left parked on the road overnight, but in their own driveways is not an issue.
 - Discussion of recent events.
 - The Sheriff’s department has been called several times. They recommend filing harassment charges recommended. They do not wish to pursue if it can be avoided.
 - Mailboxes discussed – all on North side of road.
 - Surveillance cameras mentioned.
 - Discussion of Parking ordinance and secondary access discussed.
 - Town Board response
 - The Town Board passes rules/regulations that are for the township as a whole. Many Township residents drive semi’s and zoning wise you are allowed
 - Property owners are within their rights to voice their opinions. We welcome you coming in and telling us about this, but the Town Board has exhausted what we can actually do.
 - Thank you for coming in.
 - The Board spent time trying to help and do what can legally be done. The Board does not have the power to make this situation go away. Attorney

Bourgeois confirmed, at this point there is not anymore the Town Board can do.

TOWN PLANNING COMMISSION

- Canceled last month – no report.

ENGINEERING REPORT – Engineer Wes Davis

- 185th Avenue Signage from Sheriff's report
 - Accident – due to impaired driving.
 - Discussed possible options with Road Supervisor. Worry that too many signs lead to sign blindness
 - Advisory speed posted
 - Chevrons are on site
 - Image showed tire marks going over the concrete driveway
 - Another chevron could be added – there are chevrons coming from both sides of the curve. Possibly the west side of the concrete driveway.
 - Currently following MUTCD guide lines and signing to the best of ability to protect the public
 - Board discussion
 - Not sure of anything else that would help
 - Curve sign is 30 mph and above, under 30 mph is a 90 degree sign. Speed plaque is there, though it doesn't need to be.
 - Nice new road, alignment is so straight to this point, people are going 55-60 mph and the right angle form is right before 109th – satisfies MUTCD requirements. People are just driving too fast.
 - Add another Chevron to see if it lights it up a bit better at night
 - Maybe more law enforcement could help more than anything
 - Question in chat: would lettering on the roadway be any advantage/help in this situation? A: not sure that is an option in this location as there is no stop ahead or anything like that. Usually only for residential streets with speeds less than 30 mph.
- Preliminary/Draft Capital Improvement Program (CIP) distributed
 - All Gravel and bituminous roadways inspected
 - Used PAVER (developed by US Army Corps of Engineers to grade roads/runways)
 - Map – preliminary had colors for good/fair/poor/etc.
 - Condition scores completed
 - Sign inventory completed
 - Weighted average of paved = approximately 68 (out of 100, 100 = new road)
 - Gravel Road summary = 3.4 (out of 5)
 - Breaking up into four categories based on maintenance recommendations. Discussion regarding the four definitions
 - Pavement cycle diagram shown – maintenance = less money to extend pavement life. Goal: apply life extending measures with lower cost and plan on reconstruction plans within the budget.

- Budget over 20years with 5% inflation rate shows what funding would be needed to bring pavement life from 68 to an average of 80 if that is what is desired.
- Pavement life extension is a goal
- Ratings are included
- What does board want as a goal 70% or 80% good? Very good? Etc..
- This will be a living document – can be updated and can be done as projecting a budget or using a budget to determine the best options
- Gravel roads are summarized on end
 - Detrimental and good parts of gravel roads discussed. Good crown is essential.
- Map shows by color which are poorest roads.
- Goal is to allow supervisors to be more efficient and selective with road tours and plan out projects 5 years/10 years.
- Board likes the document. This is really good.
 - Next steps – establish the goals and do a workshop to play out 5 years of projects – tie it to the budget
 - Real time updates are possible. Allows the budget amount to be input and it can give a recommendation based on dollars allowed and best way to spend those dollars. Can plan what fits with budget.
 - Paver software can flex with things
 - Township goal for roadways rating needed
 - Workshop is a good idea – maybe do with road supervisors – start with last years numbers and get ideas of what this will look like.
 - Can't spend all funds on the 'red/poorest roads' – want to be sure some money is spent to maintain/extend the life of the roads.
 - Policies for capital assets can now be developed since we have this document as a start.
 - Board question: if we say 70% good – can we model that way rather than just saying 600,000 to see how to get to 80%? Kind of working backwards to determine the projects. Yes – we can if we give a dollar value it can give options given the dollars.
 - New app available to work with this software where Road supervisor or other going out can live update based on images. \$200 estimated cost of app.

SUPERVISOR REPORTS

FIRE BOARD – Supervisor Babler

- Gear ordered/coveralls ordered and being processed.
- Extra money for duty boots. Right now using personal boots when going in for medical in the coveralls. Would like a set of boots to go with the coveralls. Estimate \$5,400 to get for all firefighters. **Motion by Boros to approve \$5,400 for duty boots for the Fire Department. Second by Wilkening. Motion carried, all voting in favor.**

- Attorney reminded – document why materials missed the 11/15/2020 order date. 12/31/2020 = drop dead due date for CARES funding. State fire may have mentioned the date being extended, but nothing has been officially done.
- A/V numbers still working, but they will be completed.

CENTRAL MISSISSIPPI RIVER REGIONAL PLANNING PARTNERSHIP – Supervisor Kolbinger

- Regular meeting – stakeholder notes went out for round 2 engagement. Meeting this week at City Hall

ROAD REPORT – Supervisor Boros

- Ready for snowfall
- Road inspections completed
- Live app form with pics and send back – the website if needed
- 164th by Salida – still working to set up a meeting
- Woodberry Farms – do we reseed or just pave over the cul-de sacs. Bid received for \$3,700 for mix with pollinator plants. Since these are our cul-de-sacs, our contractor would need to mow as needed.
 - Dan Butler (via Zoom) mentioned neighborhood homeowner mowed as it is only weeds at this time. If it was a nice mix they would leave it alone and won't mow.
 - Board consensus – continue and seed with pollinator mix
- 142nd Issue
- 82nd Street needs repair
- Meeting setup for November 10th with Santiago Town Board regarding 67th Street, Townline road – paved portion
- 70th/163rd – would like a barricade there. Engineer asked what we can get. He will check MUTCD for options and bring back.
- 112th Street – Clerk to provide Supervisor Boros with contact information
- Dan Butler asked if there was anything they could do to assist with plowing in the Woodberry Farms Cul-de-sacs? Markers 5' off road edge? No, frozen ground helps more than anything
 - Gouging is an issue if not frozen – working with apps to try and upgrade mapping for plowing and hoping less gouging if possible
- Do Forms is app being used – available for reporting issues on website. Discussion of what credits are and how they work. Clerk authorized to purchase:
 - a yearlong subscription; and
 - credits to allow people to submit road issues through the township website

CARES/CRS FUNDING

- Special Meeting November 9th, 2020 at 7:30 pm. Pre-reviews to be completed by Supervisor Kolbinger or Supervisor Babler, Clerk and Treasurer
- Attorney reminder: if you grant money to someone who was granted money already for an expense, the township may need to return.

- Floors in Town Hall sinking due to moving file cabinets (couldn't be in office due to covid compliance). Supervisors to look into this

FRANCHISE AGREEMENT

- Ready to send to Arvig for review
- No fees required
- If they approve, a public hearing will be required for ordinance/to pass

TOWN HALL

- Additional requirements for COVID requirements
 - Divider around Deputy Clerk's desk – clear portion and request to have made.
 - File cabinets moved to be in compliance with COVID – now floor is sagging – needs repair.
 - Dumpster – needed for compliance so we stop going through personal property (at Jeff's). Better to move to public location.
 - Divider at counter needed – people don't stand 6' back
 - Requested quotes for ADA compliance for restroom. At this time, if someone comes in who needs to use, they must physically be helped. Timing of funds discussed.
- Sandpoint well for sprinkler system discussed as possibility – needs to be looked into.
- Office hours changing due to city requirements of no parking on streets until after 8:00 a.m.. Office will officially open at 8:30.

150TH YEAR CELEBRATION NOT DISCUSS THIS EVENING

TREASURES REPORT

- Motion to approve treasures report as distributed by Wilkening. Second by Babler. Motion carried, all voting in favor.
- Motion to pay warrants 14779-14807 and PO's 1285-1294 in amount of \$159,209.57 by Babler. Second by Danielson. Motion carried, all voting in favor.

OTHER


- Surface Pros – we have several old Surface Pros – disposition?
 - Disposition discussed
 - 1 to clerk to be able to access township information on a township computer rather than her personal one
 - 1 for minutes
 - 2 to engineer – it is ok to keep personal information on them in additional items as needed by township
 - Rest – wait to see if need.
- Budget meeting – decided to wait until next Township meeting, November 16th to set. Separate meeting preferred as it has taken a few hours before in past. Clerk requested waiting until after election.

- Ann K introduced herself – District 3 candidate for County Commissioner

Meeting adjourned at 8:56 p.m.



Brian Kolbinger, Chair



Lucinda Messman, Clerk