

Becker Town Board Meeting
Regular Meeting 7:00 p.m.
Monday, July 15th, 2024
12165 Hancock Street



Attendance

Board members: Brian Kolbinger, Brad Wilkening, Joe Danielson, Robin Boros, Luke Babler, Clerk Lucinda Messman, Treasurer Tanya Danielson, Deputy Clerk Megan Schmidt, Deputy Treasurer Marilyn Danielson

Absent:

Others: Sherburne County Sheriff's Department, William Tessmer - Township Engineer, Ben Wikstrom – Township Planner, Kelli Bourgeois – Township Attorney (online), Mark Kolbinger – The Patriot Newspaper, Jacob Sanders -City of Becker Community Development Director (online), Austin Peterson - City of Becker Community associate planner (online), Justin Robertson

Zoom platform was available for any member of the public who wished to attend virtually.

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

Pledge of Allegiance

Consent Agenda Items

1. Minutes
 - a. June 2024 Minutes
2. Upcoming electronic fund transfers/automatic payments approval
 - a. City of Becker – water/sewer, Xcel Energy – gas/electric, 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, monthly credit card reader fee.
3. Correspondence/Information
 - a. Mississippi River St. Cloud Watershed Memo
 - b. Battery Recycling Drop Off locations
 - c. Xcel Energy – Electric Meter Replacement
 - d. Age Friendly Grant Information
4. Approval/Acceptance
 - a. Resolution Appointing Election Judges
 - b. Correction to April 15, 2024, minutes

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

Motion to approve a regular agenda after a by Wilkening. Second by Danielson. Motion carried, all voting in favor.

SHERIFF'S REPORT

181 calls for service. 68 were traffic stops. There were bad crashes on HWY 10, County Road 11, County Road 16.

Open Forum - Residential Requests

United Bus-Gateway Plaza - Justin Roberston – PM

Wikstrom revied the packet materials

- This company would like to get some direction regarding the dedicated frontage road in Gateway Plaza.
- They are interested in developing the parcel in lot 1 block 1 north of the powerline.
- They will have to cross the dedicated frontage road (Township ROW) and would like permission to do so and not build a road.
- The Town Board is within its rights to request the frontage road be built along the full frontage of their lot.
- Future Concerns?
 - This road system network may change. Currently the frontage road is not used.
 - The Town Board sent a letter of support for Sherburne County last month regarding federal funding for a possible interchange in the area. That would change the Town needs.
 - Justin is looking for some sort of consensus or approval from the board to cross that road, as Mn DOT will not grant him an access without Town Board approval as it abuts Highway 10. An email confirmation of the Board's decision to MnDOT is sufficient.

Supervisor findings:

- The right of way does not continue in either direction from that parcel at this time.
- If we require the frontage road to be built now, it would mean maintaining a road that serves a single parcel. If Sherburne County plans come to fruition, we will need that right of way for a future road.
- All site plans should keep the frontage road area vacant.
- Do we need to keep that right of way? Consensus is Yes it could benefit the township.
- Consensus –
 - the Town Board will not vacate that dedicated ROW.
 - The Town Board will not require a frontage road at this time based on the findings above.

Motion to allow access across that right of way without the requirement of a frontage road based on the above findings by Wilkening. Second by Babler. Motion carried all voting in favor.

PLANNING COMMISSION/JOINT PLANNING BOARD UPDATES – Wikstrom

- Planning Commission
 - Public Hearing this month include recommendation of the following:

- CUP for a secondary farm related dwelling on a parcel recommended approval.
 - Public Hearing this month included denial of the following:
 - Drop yard. until MNP comes into compliance with some of the conditions from their site plan and existing CUP. They can re-apply once they are in compliance
 - This month's meeting was rescheduled, we will have a public hearing for a Boundary line adjustment between two parcels ½ hour before the Joint Planning Board meeting.
 - We have 3 applications for the month of August.
- SSTS Ordinance
 - Statues changed for when septic compliances are needed. The ordinance will be going back to the county commission to make changes to definitions in the proposed new SSTS ordinance.
 - One change is when an addition is being completed and a bedroom is being added, the septic system needs to be compliant within the last 3 years. The current ordinance states a septic system is compliant for 10 years.
 - Septic compliances are required for all new construction and replacements. They are also required om the designated shore land areas where a building permit or variance is requested.
 - We will update all those changes and it will affect the floodplain ordinance, which we are working on right now.

Attorney Bourgeois: by statute, septic ordinances are one of the few things that all cities and townships within the county have to be at least as restrictive as, if not more so than the county in which they're located in. that is the reason to wait until the county approves their ordinance, so we can make sure that the township ordinance is at least as restrictive as theirs.

ENGINEER'S REPORT – Tessmer

Bridgeview

- Mailboxes are being installed in Bridgeview and Eagles Landing.
- Concrete Driveways
 - There was an extra \$7,600 dollars spent on fixing the reinforced concrete driveways in the Bridgeview development. For this project we are \$1623 dollars over the base project after the driveways
 - We also have 6 driveways where the residents are bottoming out at the end of their driveway. Normally a reclaim job would only raise the pavement the height of the new pavement. There was an anticipated 3-4 inches of height changes we had put down 3.5 inches of new payment. We got 6-10 inches of height differences in some locations. We had learned that while they were completing the shouldering they were running out of material and that is because the road rose much more than expected.
 - This was discussed with MPM, and they wanted \$10,000 to remobilize this project to fix them and it wouldn't be until October. We are currently in the process of finding someone else to repair these driveways. So far with the discussions with other

contractors we are looking at another \$15-20,000 dollars to have the 6 driveways fixed.

- The 3-foot cuts were done before this project started. So, at the time that seemed like a reasonable distance. Once the road was done it was much higher, the 3-foot cuts didn't work out.
- Normally there would be \$10,000 dollars up front to survey the site. We went with simplified plans this year, to not pay that upfront. Which would be another \$5-7,000 dollars upfront of construction staking during the project. Which means we do not have elevation control onsite.
- Overall, for future construction projects, we should aim for more on the driveways, instead of cutting the driveways shorter and saving some money. We should make larger cuts in case these issues happen and having to pay extra for the company to come back out and fix them in the long run.
- Also checking the slopes of the driveways are actual drivable when the paving is happening. So, residents are not bottoming out at the end of their driveways.
- While working with contractors for bids to get the driveways fixed, they suggested that the reclaim might have been pushed from one spot to another. Three of the driveways that we are talking about are on a hill going down into Riverview. We are thinking that they pushed the material down the hill which ends up having the heights much higher at the end of those driveways. The other spot was in a cul-de-sac which we are thinking something similar happened when it was deposited at the end of the cul-de-sac and that driveway ended up being much higher than it was originally. The 3 driveways are by the location where a turn lane was added for 187th. This was after the road was originally completed.
- This is comparable if it was surveyed, overall, just going back another 2 to 3 feet on the driveways would be the solution.
- This is why we did the reclaim, instead of ripping it out and getting rid of it. We crushed it up into gravel and put it back down to make the road stronger.

Eagles Landing

- The simplified plans without survey worked well for the mill and overlay on Eagles Landing, there was no height change there.
- Going forward completing a reclaim project, we should survey the road before so that we know of any height changes in the road that we didn't know of.
- Eagles Landing project is almost complete.

97th Street

- 97th paving, shouldering and stripping are complete, they have also installed the speed limit signs. The last item of our punch list is that we are asking them to put a couple of loads of class 5 onto the field entrances.
 - Would like to ask the board to certify a payment for \$101,755.46 for 97th St.

Motion authorizing a payment on 97th ST, for \$101,755.46 by Boros. Second by Danielson. Motion carried all voting in favor.

- We still need to pay the county fee when the project wraps up.

Other

- We have requests from residents to put reflector strips on the chevrons on 185th/CR73. They could be rusted out – this will be done. Need to look at the sign to see what has happened first. The signs have been run over several times. We will have to look at the signs and see how the posts are put into the ground, making sure the posts are facing the correct direction to see the reflectors.

- The county is moving the stop sign at that intersection. Currently the stop sign stops the West bound traffic. They will move it to have the North bound traffic stop and the East/ West bound traffic

Supervisors discussion regarding driveways:

- Review town standards. Typically, we do not do like for like at ends of driveways as bituminous feathers in well to match the road surface.
- Standard 3’ cut did not work out for a few of the driveways.
- William is working with MPM trying to figure out what they are or are not going to do. We do not have that 100% yet.
- We have done extra compassion tests to make sure everything met, the slope and the percentages are all within the tolerances.
- Another possibility is that the road may have had more of planned crown, they might have warped it when it was built originally. This would be easy then to have the one side with more slope on it.
- If this was pushed out, it would have raised that shoulder 1.5% to 2 % coming down that hill, same with the cul-de-sac, it may not have been the right crown or it may have been flatted out a bit. Which would raise the edges.
- We are working with William to make sure that this doesn’t happen again.

- Knife River called and they will start the project on 137th ST at the end of July beginning of August. Trying to get this work in between potatoes. Should be having a pre-construction meeting very soon.

SUPERVISOR REPORTS

Fire Board – Supervisor Babler

- Completing budgetary items, met with the representative from Red Path, the contractor that takes care of the billing and financials now.

River Crossing Group – Sanders/Supervisor Kolbinger

- A meeting is coming up where the nonprofit agreement will be signed. The meeting will be on July 25th, 2024. This will then turn the organization into a nonprofit so they can easily apply for funding for the bridge project. During that meeting we will also be given an update on the Pell study and some of the alternatives.

Roads – Supervisor Boros and Supervisor Danielson

- A lot of our information was covered by the engineering report.
- We did fix a culvert that was hit by a utility company out in Boulder Crossing, this has been repaired.

- We are still working on erosion problems on 107th. We will also be using some of our stock piled millings very soon. We will see how well this works for future uses, so that for the next overlay project we can just drop it on a dirt road instead of stockpiling it and moving it multiple times. We will see how it looks on 107th and when we complete our road tour while take a look at it.
- After the last storm we had a lot of branches we had picked up but no trees.

Facilities

- **Town Hall & American Legion**
 - We have received a lot of calls from the last hailstorm, we have told them no thank you to have our roof looked at.
 - There was a meeting with the American Legion regarding the cardboard dumpster, burning of the flags and the ceilings.
 - The ceiling should be fixed by August 7th. So, then the Election can still be run through that building and there are no safety concerns.

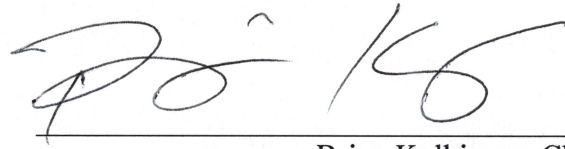
Treasurer's Report

- There was one bill that appears to be the wrong Becker Township. Board consensus to void and not pay.
- Discussion on renewal of our insurance policy and whether it should be paid, yes.
- **Motion to approve payment to MPN in the amount of \$138,510.05 by Danielson. Second by Babler. Motion carried all voting in favor.**
- **Motion to approve Treasurer's Report as presented by Babler. Second by Boros. Motion carried, all voting in favor.**
- **Motion to approve payment of**
 - **Warrants 16525-16560**
 - **PO's 1640- 1649**
 - **Voiding 16551**
 - **in the amount of \$189,232.97****by Babler. Second by Boros. Danielson – abstained as his company had submitted an invoice. Motion carried all voting in favor. Motion carried 4-0-1.**

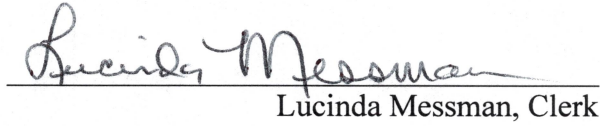
Other

- Primary Election Tuesday, August 13th, 2024, Voting 7am – 8pm.
- Town Planning commission- Tuesday July 23rd, 2024, 6:30 pm
- Joint planning board- Tuesday, July 23rd, 2024, 7pm
- The bike trail down 23, the city went forward with the grant even though the township voted against it. The residents that are along this path are very upset that it is going in and not a single resident along the path is for it.
 - Are there any options to be able to have a say in it. Town Board members denied support twice and Sherburne County and the City of Becker went forward with the grant.
 - Attorney Bourgeois, There really is not. You could do a letter expressing your position but that is county right of way. Since it is a city/county project there is not a lot the township can do. Reviewed email and it appears that the grant issuer (State of MN) understood that the township was opposed to the trail. They are aware of the Township's position. At this point , as long as the grant issuer understands, it's really on them to decide still if it was material enough for them to withhold the grant funds or not.

Meeting Adjourned 7:43 PM.

A handwritten signature in black ink, appearing to read "BK", written above a horizontal line.

Brian Kolbinger, Chair

A handwritten signature in black ink, appearing to read "Lucinda Messman", written above a horizontal line.

Lucinda Messman, Clerk