

Becker Town Board Meeting
Regular Meeting 7:00 p.m.
Tuesday, January 21, 2025
12165 Hancock Street



Attendance

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

Absent: None, seat 1 is vacant

Others: Sherburne County Sheriff's Department – Sgt. Frank, William Tessmer - Township Engineer, Ben Wikstrom – Township Planner, Township Attorney Kelli Bourgeois (online 7:18) Jacob Sanders -City of Becker Community Development Director (7:09), online), Austin Peterson - City of Becker Community associate planner (online), Maria Moore. Benita Roberts, Yee & Bryan Johnsen

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 approved - December 2024 Minutes
2. Upcoming electronic fund transfers/automatic payments approval: 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. MN DNR and FEMA final approvals of Floodplain Ordinance
 - b. MPM letter
 - c. Notice to Electors of ISD 742 Special Election April 8, 2025. Note, we have advised them the posting received specified the incorrect in location. Our posted notice is correct.
 - d. Excel Energy Notice of Application for Authority to Increase Electric Rates
 - e. Building Permit Report draft
 - f. Becker Cemetery Contribution Request
4. Approval/Acceptance
 - a. Resolution 2025-02: A Resolution appointing the 2025 Absentee Ballot Board
 - b. Resolution 2025-03: A Resolution appointing Election Judges for the March Town Election

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

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

SHERIFF'S REPORT

189 calls for service.

- 86 traffic stops.
- 15 medical, ranging from minor to major.

Residential Open Forum

None

Public Hearing 7:02 PM Metes and Bounds Split – Roberts/ Anderson

Wikstrom reviewed the packet materials [full text on file].

- Marilyn Anderson and Benita Roberts have applied for a Metes and Bounds Subdivision
 - The northernmost 20 acres will be split from parcel-3201; the resulting parcels will be divided.
 - Township staff received questions from a neighboring property owner regarding access; the access question was directed to and answered by Sherburne County.
 - One other comment was received from the County Public Works Department, requesting the road easement along the western property line of Parcel A be 50' from the centerline of County Road 127 rather than the 33' shown on the survey. This is due to coming upgrade shown in the County's CIP. Wikstrom stated a condition of approval has been added to the resolution for that change to be made and approved by the Township Engineer or himself prior to recording.

Motion to close public hearing 7:04 PM by Wilkening. Second by Babler. Motion carried, all voting in favor.

Commission discussion: None. Straightforward split.

Motion to Approve Resolution 2025-01 [full text on file]: A Resolution Providing for a Metes and Bounds Subdivision with the Addition that the Road Easement Along the Western property line of parcel A shall be increased in width to fifty feet (50'), and the Updated Survey Submitted for Review and Approval by the Township Engineer prior to Recording by Wilkening. Second By Babler. Motion Carried, All voting in favor.

PLANNING COMMISSION/JOINT PLANNING BOARD UPDATES – Wikstrom

- This month
 - One application. Triple J Farms and Susan Johnson.
 - Near 97th St where one of the corners were realigned. Transferring some property on the south side of the road to the parcel on the north side.

- A couple of items are still on hold relating to Wruck Excavating/Tony & Val Wruck applications. These items have not been heard at the Joint Planning Board yet.
- No applications for next month at the time of this meeting.
- Fee schedule increase
 - Rezoning
 - Clerk has found that the fees we are charging do not routinely cover the publishing costs and we do not require an escrow.
 - There are a couple of options:
 - We can attach an escrow to these applications.
 - Or we can raise the fee. Currently we charge \$350.00. We could raise that to \$500.00 dollars to cover most extra costs.

Board discussion

- Q) An escrow is returned A) yes, whatever is not used is returned.
- Leaning towards escrow, what is your recommendation A) Township clerk said escrow is fine as we are not making money. Our goal is to have applicants pay all fees involved, not increasing cost to taxpayers.
- Currently, it is typically 60 to 90 days after a decision is made that escrow money is returned. This is only done after all conditions are met, any outstanding fees paid, and all invoices have been received.
- Hesitant to charge everyone higher fees when an escrow can be returned if they have an application without higher amounts due.

Motion to approve Resolution 2025-04 [full text on file]: A Resolution Setting Fees And Charges For The Town of Becker by Wilkening. Second By Danielson. Motion Carried, All Voting in Favor.

- After the Fact Fee Complaint
 - Emails forwarded to board
 - Unsure of timing of some events as we had received two different applications for this location.
 - First, we received one from the installer
 - Later the homeowner came in with an application as himself being the installer.
 - By the time the inspector went out, the system had already been installed.
 - Soil verification had not yet been completed.
 - Having the designer on site for soils verification has been town policy since we started permitting. It is not state law.
 - The inspector had called and said there would be an after the fact fee incurred since he saw that the system was already installed.

- There was an extra \$400.00 fee incurred; this resident wants the board to know that he felt it was unfair to have to pay that since state law doesn't require the designer on site for soils verification.

Board Discussion

- Q) Did we catch this, is this in the township? A) Yes, this is in the township. We put this permit through the process, but it was submitted once by the installer and then by the homeowner. The installer who submitted the first permit has worked in the township and is aware of our policies and procedures for septic systems.
- The system was installed before a permit was issued and before soils had been verified. Soil verification typically takes place before a permit is issued.
- Q) How much more was it. A) \$400.00, twice the regular rate. This fee all goes to the inspection company. The funds are not retained by the Township.
- Q) Is this certified. A) Yes, everything is completed. There were pictures taken during the installation process so that the inspector could see what was done.
- Determination: this could have been avoided.

ENGINEER'S REPORT – Tessmer

- There are a couple of streets that we will need to have the right of way established at the annual meeting. We will need to request from the electorate for a road hearing. Then we would send out letters, post and publish notices about that hearing.
 - 109th St
 - A road project we have on our list this year, hopefully it stays. We are still searching for a formal recording. We would like to widen this road and to do so we will need to establish the road right of way.
 - 109th St does border an unnamed public water inventory; we would need to give the DNR a 60 days' notice.
 - I have already reached out to find out who that person is. We do know who we need to talk to, we do not know if they're going to go ahead and approve it or if we will run into some issues with approval. At the road hearing any interested parties may make any comments. Following the public hearing, the board will meet to determine what is approved and have an official road order developed.
 - For 109th ST we already do have a survey for that area as that is a proposed road project for this year.
 - 157th Ave and 92nd is another project we have for this year.
 - This has an inside corner of the curve that has drifted over time.
 - There is also a question about both the right of way on the inside corner where the road currently passes and then the access for the person on the outside corner.
 - Requesting permission to move forward at this time is to have descriptions for the proposed right of ways completed and prepare legal descriptions.

Board discussion

Q) How many property owners are there on 109th? A) I believe it was 19 or so.

Q) I thought there was only 9 or 10 on our side A) there was a little more than that, as I had looked after the meeting I had on Friday. There could be multiple lots with the same owners, I was only counting the lots of Beacon.

Q) Do you have to do a title search. A) Yes, once the board gets permission, than any land that is not owned outright will involve title companies. There are a lot of legal steps.

Q) Is the annual meeting where a road meeting is called for, so it does not happen there.

A) To alter a road the board must get permission from a petition coming in or request permission to do this from the electorate.

Q) We are authorizing you to get surveys and legal descriptions ready ahead of this meeting. A) Yes, so at that meeting you will have the legal descriptions and drawing presented and request permission to alter this road.

Board directive to engineer to prepare documentation as needed.

Other - Engineering

- Typically creates drive through videos for road projects for the year. On screen is a photo of a headwall in Wildwood.
 - Board directive to get video to clerk and have the headwalls identified. Can't do anything right now due to weather, but notices to be sent as soon as feasible to bring into compliance. Prepare images for Supervisor Danielson to review
 - Clerk stated that prior to notices, the board needs a firm date that can be given to have the headwalls eliminated. Do you want to wait until we have bids?
 - Yes, we will have to wait until we have the bids as we don't have the dates for working the roads.
 - The clerk will send the letters after we have the bids. It gives us time to gather the data review the imagery.
- **97th Street**
 - The Final payment request for 97th this includes our retainage and the county administrative fees as well.
 - This was for 25 cubic yards of class 5 and then the additional mobilization fee for signage.
 - Requesting board approval for the final payment on 97th ST for the cost of \$59,345.05.
 - The total for work was \$1.16 million and the initial estimate was \$1.25 million, this project has gone reasonably well.

Motion to approve the final payment for 97th ST in the cost of \$59,345.05 by Wilkening. Second by Danielson. Motion carried, all voting in favor.

- Road projects for this year; Boulder Crossing East side, Wildwood Acres, Majestic Ponds, Oakwood Estates and some crack sealing.
 - The four major road projects are ready to go
 - Need directive from the board on when we would like to do bid opening
 - I have met with Road Supervisors on a list of questions that have been resolved

Board discussion

Publication dates, timing and length of required publications for bids discussed. Bid opening will be set for the March 17th meeting.

- The last project would be crack sealing, we will look back at previous projects and see if there are any that we would like to add on for the crack sealing. For the crack sealing this would be under the dollar amount that we would need to publish in the newspaper and would not need to do the waiting period with that either. Crack sealing projects do not take very long to complete, and they could be finished with that in a couple of days.

SUPERVISOR REPORTS

Fire Board – Supervisor Babler

- No updates have not had the monthly meeting yet.

CMRP/River Crossing Group – Sanders/Supervisor Kolbinger

- There has not been a meeting between our meetings, there will be a meeting on Thursday where we will be authorizing the switch to nonprofit. There was a public virtual open house meeting for people to leave comments on the Pell study. There were some residents from the Bridgeview area that did express some concerns. There were also a few comments regarding not being informed about these open houses. CMRP does do a good job on communication and has many opportunities for having meetings available for the public.

Board Discussion

Q) Is there talk of having 4 lanes on County RD 11? There is a sign in the trees with caution tape around it stating no 4 lanes. A) Perhaps unless this is one of the two one-way pairs that are going through downtown. These are mainly just river crossings, the closet would be a one-way pair, where they take two existing streets and then they widen it. They are in opposite directions and then they meet up again at the bridge. There was another option of widening 25 but that option was eliminated. The one-way pair was an option that they carried forward, MNDOT had some say in that option. There are some disruptive routes that are being carried along that go through people's houses that are not viable. We can understand some of the concerns that residents have when they see their houses on a map regarding this.

Roads –Supervisor Danielson

- Engineer Tessmer did cover a lot of the items already.
- There were a few complaints with the snowplowing from the last snow fall, already discussed this with Wruck.
- We are currently completing some tree trimming.
- Woodberry Farms cul-de-sac, there was a request to have a prescribed burn. Township will not be completed this year, but it is on our radar.

Facilities - Town Hall & American Legion

- Options new contract, they have 4 to 5 people come in and clean the office. The contract has gone up about 5 dollars. This was a big raise for the individuals completing this work. The board consensus was that they are happy with the work that Options is doing and are happy with the opportunities that this gives them.

Motion to approve the new Options contract by Babler Second by Danielson.

Motion carried, all voting in favor.

- Recycling days would the township like to participate with the city again for this.

Motion to work with the City of Becker for the Recycling days event by Danielson. Second by Babler. Motion carried, all voting in favor.

- By Statute, we need to move to a new domain and have a .gov website. Clerk presented a few options. While one is cheaper, they setup and we would have to complete the process of migrating our site. The one recommended, CivicPlus, most government entities in the county are using this host; they have good security and they will move our data for us. They will help us get the website going and then we edit it from that point.
 - We won't lose any data
 - They will move our data to the new website
 - We will leave a cookie on the old website so that residents can find our updated information.
 - Plan is 3 to 6 months (they recommend) to get this all moved, we are hoping to get this shortened.
 - This site is compatible with what we can currently foresee for the future.
 - Domain BeckerTwpSherburneCoMN.gov

Motion to approve Civic plus by Wilkening. Seconded by Danielson. Motion carried, all voting in favor.

Treasurer's Report

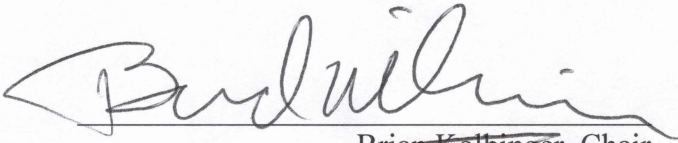
- **Motion to approve Treasurer's Report as presented by Danielson. Second by Babler. Motion carried all voting in favor.**
- **Motion to approve payment of**
 - **Warrants 16822-16852**
 - **PO's, 1679- 1689**
 - **Void 16726**
 - **in the amount of \$ 200,671.60****by Wilkening. Second by Babler. Danielson – abstained as his company had submitted an invoice. Motion carried all voting in favor. Motion carried 3-0-1.**
- Township treasure is reviewing the budget from how it ended last year. She will send the 2025 proposed budget to the board soon. Please let her know if you have any questions.


Other:


- The county will be using the town hall to host an open house on the 29th at 5pm. Meeting with residents on County RD. 93.
- Board of Audit date will be March 3, 2025, at 6pm.
- Reorganization meeting April 7, 2025, at 7pm
- St. Cloud School district \$65,000,000 levy question. April 8, 2025, at the American Legion. Starns County will be handling this election, they will be using their own equipment, judges and hand counting the ballots. They just need our polling location.

- The school district does not want to use a central site for the election. They have about 67 voting locations. There are 4 voting locations in Sherburne County, 6 in Benton County.
- We have 12 voters in Becker Township, so they need our polling site.
- St Cloud School District will pay all the costs.
- Wages – board chair asked the town clerk to bring up wages at the January meeting. Documents were sent to the board. The board chair stated that the board received these and will review.

Meeting Adjourned 7.46 PM.


Brian Kolbinger, Chair


Brad Wilkey
vice chair


Lucinda Messman, Clerk