

Watab Town Board Meeting Minutes – October 7, 2014

The regular monthly meeting of the Watab Town Board was called to order at 7:00 p.m. on Tuesday, October 7 at the town hall by Chairman Ed Kacures Jr. All board members were present: Supervisors Kacures, Craig Gondeck, and Lloyd Erdmann; Treasurer Eileen Saldana; and Clerk Pat Spence. Audience members were: Denny Niess, Ed Popp, Allen Saldana, Kevin Reiter, Paul Jacobs, Maureen Graber, and Bob Raveling.

Following the Pledge to the Flag, Chair Kacures called for a motion to approve the agenda; motion was made by Supervisor Gondeck, second by Supervisor Kacures, and passed to approve the agenda as written. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to approve the minutes of the September 2nd regular meeting and September 22nd Special MS4 meeting; motion passed. Eileen Saldana gave the Treasurer's report with a balance of \$348,887.86 in checking accounts; motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to accept her report.

Guests: Two Benton County District 2 commissioner candidates were present. Denny Niess introduced himself as a graduate of Foley High School and resident of Langola Township. He is Vice President of Leighton Broadcasting, is owner of Granite City Speedway; and serves on the board of U.S. Bank; he previously served on the Falcon Bank Board. He is also a board member of the State Board of Animal Health. Denny explained the many relationships he has with legislators; some have pledged to meet here if he is elected. He explained his role as a commissioner would be to invest in economic development and grant writing and said that "you can't save your way to prosperity." He added that he is endorsed by Mayor Dave Kleis of St. Cloud and several other area legislators, past and present. Ed Popp introduced himself as a farmer and Langola Township Board chairman. He said he isn't looking for connections outside Benton County; he wants to keep everything local. He also stated that Benton County needs economic development to relieve us from some of the tax burden; he has chaired the Langola Township Board for the past three years. He has been on the Minnesota Holstein Board and the Rice Legion. He has visited with the Morrison County Economic Development Director, Carol Anderson, who supports him in the election. Since he announced his candidacy, he said that he has been supporting a full-time economic development director and grant writer. He wants the county to move forward. Town Board members then had the opportunity to ask questions. Chair Kacures informed the candidates of the township's wishes to have interchanges installed on Highway 10. Denny responded that this starts with the legislature, and we have to get their ear to try to get the dollars back here. He knows we need better Highway 10 access and good road systems. He doesn't agree with the county spending money on the "up the hill" project in Sauk Rapids. Jerry Bauerly is supporting him because he knows what is needed. Supervisor Kacures said that he has been talking with Rep. Newberger who said that we may have to have smaller steps, such as acceleration lanes, before the large project because of the competition. He added that Benton County hasn't done a good job going after bonding money. Supervisor Gondeck said that he is impressed with their views on economic development but asked how they can get the other county board members' support. Supervisor Kacures said that he can get one member's support, but there may not be any state money available; Denny said that he will have their support and that he has experience getting money for projects from the state legislature for St. Cloud State and the City of St. Cloud. When asked by Supervisor Gondeck if they would support reinstating the county economic development board, both

responded "yes." Chair Kacures thanked them for coming to the meeting and both stayed for the remainder of the meeting.

A motion was made by Supervisor Erdmann, second by Supervisor Kacures, and passed to pay workers for Watab Clean Up Day in the amount of \$12 per hour. A motion was made by Supervisor Gondeck, seconded by Supervisor Erdmann, and passed to pay the monthly bills as presented and to withdraw funds from the appropriate accounts for Claims #5541 through 5556 and electronic transfers for PERA and IRS totaling \$32,306.15. This included authorization for Supervisor Gondeck to purchase a Value Certificate for Schultz Soft Water worth \$1,000 for a price of \$700; this would provide a \$300 savings on the purchase of the water treatment system for the town hall.

Old Business:

- A. Jon Bogart gave the board a presentation on creating a quiet zone for Frost Road for an estimated cost of \$67,789.04; Supervisor Gondeck asked about using the Quick Curb to save on cost; Jon will look into it. Supervisor Gondeck said that if the township used that product, the township could get a SCORE Grant to cover 75% of the curbing cost. The board discussed the timing of the three remaining railroad crossings in the township. 95th Street and 105th Street crossings are much more costly projects, and there will be cost savings by doing them at the same time. The township does not have sufficient funds to do them in 2015. After further discussion, Supervisor Erdmann made a motion for Jon to move forward with the meeting with all necessary officials for the Frost RD crossing and to prepare for the project to be sent out for bids in February and constructed in 2015; motion was seconded by Supervisor Gondeck; motion passed. Supervisor Kacures had a question about the 95th Street crossing: he presented his request for more curb and gutter, and the board discussed the drainage swale. Jon will also continue the planning for the 95th and 105th Street crossings. Allen Saldana asked about the alignment of the black top on 95th Street.
- B. Railroad Response to Citizen Concerns from Last Month's Meeting: Clerk Spence contacted Amy McBeth, who is the Public Affairs Director for BNSF. She responded as follows:
Regarding the trains stopping and starting and blocking crossings, I will follow up with our Operating Department to have crews reminded to hold off the crossings in that area so they are not blocked for extended periods of time. We are working on our ability to increase our fluidity of our network and with those longer-term efforts the overall congestion issues we are seeing will get better. Regarding the signals, the signal systems are designed to be fail-safe, meaning if there is an issue the gates will be activated to protect the public. The public, for their safety, should never drive around a gate that is down. For County Rd 55 in particular, we did have signal maintainers dispatched to that signal several times. The issue was ultimately identified and they replaced the crossing predictor equipment. Since the beginning of this month, we have not seen the issue recur. However, if you or the public sees another issue with this or another signal, please report it to our 800-832-5452 Resource Operations Center so a signal maintainer can be sent immediately to investigate it. I hope this information is helpful to you.

Maureen Graber asked if the board was aware that some train horns are still sounding; she also thanked the board for completing the Lakewood Shore crossing. Clerk Spence has been in touch with Tammy Wagner regarding the train horns sounding. She says that some of the engineers need more time to get used to the new Quiet Zones. Dale Dirks called Supervisor Kacures about getting 105th Street a Quiet Zone as soon as possible; the large increase in number of trains is causing a very negative effect on the quality of life. Supervisor Kacures explained how important it is for

residents to come to meetings and express their desire to get the crossings improved and to allocate the funds at the annual meeting. Supervisor Gondeck said he has had several thank you phone calls for the crossings that were completed.

- C. Donations for Quiet Zones: donations were received this month from John Pearson and Craig Gondeck. Supervisor Erdmann said that he will continue to collect the pledges during the coming month.
- D. Decision on Snow Plowing: The board has not been able to find a legal way to continue paying to plow non-accepted roads in the township developments (Oak Hill Estates, The Cove, and Lake Andrew) due to a 2014 law change by the state legislature. Clerk Spence outlined for the board that Marson Contractor's two bids for the snow plowing contract were \$36,728 to do only the accepted roads and \$38,800 to plow all the roads (a difference of \$2,072). Based on the mileage of the non-accepted roads in each of the three developments, the cost for plowing each development for this winter would total \$497 for Oak Hill, \$891 for Lake Andrew, and \$684 for the Cove if Marson Contractors would bill the developments based on their bids to the township. The board suggested that a letter be sent to the homeowners in each development signed by all board members, with a copy of the law, and how the snow plowing will be handled this winter. Plowing will be the responsibility of each of these developments. Clerk Spence offered to draft a resolution to forward to the L & R Committee of the Minnesota Association of Townships to attempt a change in the law. Supervisor Gondeck made a motion to sign the snow plowing contract for the lower amount without the non-accepted roads with the stipulation that it can go to the higher amount if we find a legal way to plow the non-accepted roads; second by Supervisor Kacures; motion passed.
- E. West Lake Road Repairs: the black top was removed to the stipulated dimensions and dug to three feet; then the contractor ran into the soil that was causing the frost heaves. It was holding water back (west to east flow); water was backing up and causing the road to lift. They had to extend the area that needed to be cut: 280 cubic feet of bad soils below the three-foot level. There will, therefore, be a cost over-run on the project. The contractor is waiting for it to pack for about a week before it is fine graded and paved. Supervisor Erdmann will coordinate with Supervisor Gondeck and East Central Electric when the paving will occur. East Central may be digging up the intersection by Deerwood Court and it would also need to be paved.
- F. Crack Filling Report: 15th Avenue was completed today. More filler was needed than planned due to excess cracking. Supervisor Gondeck was asked to try to get more compound to crack fill Hemlock Road and 5th Avenue. Supervisor Gondeck requested authority to go to the City of St. Cloud Builder's Expo tomorrow to see if he can make contacts for items that the township needs. He would like to look into a quote for additional warning cones; the board granted permission.
- G. 80th Street Washout: Allen Saldana did an excellent job on it.
- H. Dry Hydrant System Quote: Wipper Construction of Clear Lake submitted a quote for two dry hydrants for \$4,500 each. Motion was made by Supervisor Gondeck to go ahead, second by Supervisor Erdmann, motion passed. Clerk Spence was asked to write a contract, check insurance requirements, and stipulate a completion date of 30 days from receipt of contract.
- I. Signs: All are installed; the railroad signs are getting faded and need to be replaced next spring.
- J. Tree Trimming: low branches need to come down on Shoestring Loop; Bob Raveling offered to do the work.

- K. MS4 Training on Illicit Discharge: Clerk Spence and Supervisor Gondeck will attend this training to become certified; other board members are unable to attend.
- L. Water System: one head may be sticking and need to be replaced; it is under warranty.
- M. Stormwater Ordinance: Clerk Spence reviewed the changes and notes made by Wayne following the special meeting with him. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to incorporate the changes and to forward the draft to MPCA for their review. Then it will need to go to the township attorney for review before scheduling a public hearing. The new ordinance needs to be adopted by March.
- N. Clean Up Day: Supervisor Gondeck reported that it was very successful with over 270 people coming through; more than 400 lbs. of food was donated for the Rice Food Shelf; a large number of items were recycled.
- O. Chuck Ertl, Ditch Mowing Contractor, was present and reported that he has finished mowing all Watab roads except for the minimum maintenance road. Everything was double cut. Geno Beniek sent an email of thanks for the excellent road mowing. Chuck said that on Frost Road the brush is moving in so much that he would recommend coming in with the brush cutter. A motion was made by Supervisor Gondeck, second by Supervisor Erdmann, to do so at his rate of \$90/hour for about three to four hours of work.
- P. The board reviewed the proposed changes to the Road Right-of-Way Ordinance. Motion was made by Supervisor Erdmann, second by Supervisor Kacures, and passed to approve the changes and to advertise for the public hearing to be held at the beginning of the November 3, 2014 meeting.
- Q. Dumpster for the township: Cost would be \$1,136 for the summer from Allied (Republic); cost from Henkemeyer's is \$335 per month. The board table a decision on this.
- R. Highway 10 Project and Impact on Township: Supervisor Gondeck said that he is waiting for the results of the MNDOT gap study.
- S. Resolution on 4-wheeler complaints on Plaziak and Lakewood Shore Roads: Supervisor Gondeck will check further on damage and what can be done to keep stones off the road and lawns
- T. Supervisor Erdmann reported that he has drained the sprinkler system; Supervisor Gondeck was asked to contact Land Concepts to blow out the system before winter.

New Business:

- A. A motion was made by Supervisor Gondeck, second by Supervisor Erdmann and passed to approve Resolution 2014-10: Certifying Unpaid Fire Bill for Property Assessment. The Clerk reviewed the numbers of unpaid calls, especially for medical calls; many of the users do not have resources to pay the entire cost and refuse to make payments. The current collection agency has not given good results; since many of the bills are for mobile homes, the unpaid bill cannot be charged to property taxes. Denny Niess recommended using Mike Vadnie, St. Cloud attorney as a collection agent. Clerk Spence will contact him.
- B. General Election Day is Tuesday, November 4th with polls open between 7am and 8pm. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to approve Resolution 2014-9 appointing election officials. Supervisor Gondeck will make arrangements to have the hall cleaned on Monday, November 3, the day of the township meeting.
- C. Land Disturbance Permit Inspections Report: Eleven construction sites are currently being inspected by Supervisor Gondeck, and he reported good cooperation from most builders. Paperwork is going more smoothly.

- D. Clerk Spence reviewed the new resources that are available to us from the Central MN Water Education Alliance that can be used to assist in educating our residents on protecting water resources.
- E. Benton County Association of Township Meeting: there was discussion on some of the statements made by county elected officials.
- F. Annual Weed Inspection Report: Supervisor Gondeck conducted the September weed tour; there were no noxious weeds due to double mowing.
- G. Correspondence: Clerk Spence and Chair Kacures reviewed correspondence that had been received during the month.
- H. Supervisor Reports: Supervisor Gondeck reported that the Economic Development Board is researching the possibility of St. Cloud Airport flights to North Dakota; it appears it would be very expensive. He is also working on five business retention visits in Watab; there is a lot of housing interest in the township; Highway 10 traffic and lack of access is a large barrier to business development in the township. He will also get a post for the quiet zone sign.
- I. Supervisor Kacures asked that the large garbage and recycling containers be kept in the back room and that smaller ones be used in the hall meeting room for aesthetic purposes.
- J. Supervisor Gondeck will work with Chuck Ertl on brush cutting issues during the coming month and will continue to work on the dry hydrant project.

Chair Kacures asked for further citizen's input. Denny Niess said that he recently attended a seminar by US Bank; they are forecasting an increase in interest rates in March of about one-half per cent. Supervisor Gondeck asked if he could look apply to Benton County for some of the township's park dedication fees to cover a picnic table for the town hall instead of the SCORE grant to save dollars. The board told him to pursue it.

A motion was made by Supervisor Erdmann, second by Supervisor Kacures, and passed to adjourn the meeting at 10:10pm.

Respectfully submitted by Clerk Pat Spence