

Minutes of April 4, 2017 Watab Town Board Meeting

The regular monthly meeting of the Watab Town Board was called to order at 7:00 p.m. by Chairman Craig Gondeck. All board members were present: Treasurer Maureen Graber, Clerk Pat Spence; Supervisors Craig Gondeck, Lloyd Erdmann, and Todd Waytashek. Audience members were Doug Harden, Patrick & Karen Virnig, Jason Kruger, Ed Kacures, Gloria Nelson, Linda Ianger, Erik Forsberg, Ray Thompson, Kevin Reiter, Jerry Kostreba, Richard Raveling, Brian Erdmann, and Bob Raveling. Following the Pledge to the Flag the Chairman opened the continued Public Hearing to consider alterations to 95th Street. Clerk Spence gave an update on the project's status: the township attorney has reviewed court documents and recommends that the board re-attempt personal service to the Hanks at their Minneapolis residence and continue this public hearing to May 9, 2017. A motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed to approve Resolution 2017-11 setting the continuation of the hearing to May 9th at 7:00 p.m. at the town hall. Supervisor Gondeck asked if there was any input from the audience; there was no testimony. Supervisor Gondeck added that the board has spent over \$16,000 on additional engineering costs to revise the road plans to help satisfy residents along 95th Street.

Consent for the renewal of Rumors Bar & Grill, Inc. on-sale, off-sale, and Sunday sale of liquor was granted through a motion by Supervisor Gondeck, second by Supervisor Waytashek, and passed.

Chair Gondeck presented the first Watab Pride Award to Patrick Virnig for removal of blight on a property in Watab and improving the appearance of the neighborhood. He was presented with a framed certificate and gift certificate to Rumors provided by an anonymous donor.

Motion was made by Supervisor Erdmann, seconded by Supervisor Gondeck, and passed to approve the agenda with the additions of a driveway report, Resolution 2017-8: Town Board Duties & Affidavits, Resolution 2017-9: Setting a Pocket Gopher Bounty, Resolution 2017-10: Resetting the Beginning Year Balance for the General Fund by \$93, Resolution 2017-11: Setting the Public Hearing for 95th Street NW to be continued to May 9, and appointment of the Deputy Treasurer and Clerk.

Reorganization of the Town Board included the following:

1. Supervisor Erdmann nominated Supervisor Gondeck as the Board Chair; this was seconded by Supervisor Waytashek, and passed. Supervisor Gondeck nominated Supervisor Erdmann as the Vice-Chair; this was seconded by Supervisor Waytashek, and passed.
2. Motion was made by Supervisor Erdmann, seconded by Supervisor Gondeck, and passed to adopt Resolution 2017-5: Setting Dates for Regular Town Board Meetings.
3. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to adopt Resolution 2017-6: Board Compensation Policy. All rates of pay remain the same as past years.
4. Motion was made by Supervisor Erdmann, second by Supervisor Waytashek to adopt Resolution 2017-7: Setting Township Fees with the deletion of the gopher payment; the motion passed with that change.
5. Motion was made by Supervisor Erdmann, seconded by Supervisor Waytashek, and passed to maintain the same depositories for township funds: Bremer Bank and Falcon National Bank.

6. Motion was made by Supervisor Gondeck, seconded by Supervisor Waytashek and passed to designate the Sauk Rapids Herald as the official newspaper for the township.
7. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to designate the town hall, Pine's Edge Grocery, Clerk's home, website, and the public access channel 3 of Benton Telephone as the official posting places for township notices.
8. The board reviewed the Minnesota Association of Townships "Common Law Conflicts of Interest" document. Clerk Spence noted the care that must be taken by board members to not let their personal jobs or board service to conflict with their township roles. Chair Gondeck reminded the board that each person needs to decide whether they are disqualified from a board vote due to a conflict.
9. The board also reviewed its Administrative Policy which was passed as Resolution 2009-5 and amended on August 4, 2015. Item 12-Access to Public Information will be amended to add that both the town clerk and treasurer will have access to information regarding medical calls, since the treasurer will now assume the billing for those calls. A typographical error will also be corrected in item 12.1.1.(3). Motion was made by Supervisor Waytashek, second by Supervisor Erdmann, and passed to make these two changes. Clerk Spence was given authority to amend the Town Hall Rental Policy with the new rates adopted in Resolution 2017-7. The town hall rental fee will be \$75 for residents and \$100 for non-residents. The kitchen fee will be dropped. This will be effective for all rentals that are not presently reserved.
10. The Supervisors verified that the Clerk has a Resolutions and Ordinance Book and that the Annual Financial Reports to the State Auditor were submitted in January 2017. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to acknowledge this verification.
11. The annual township board paperwork to the Minnesota Association of Townships was completed by each Supervisor.

The minutes of the March 7, 2017 regular meeting and the Board of Canvass Minutes for March 17th were approved through a motion by Supervisor Erdmann, second by Supervisor Waytashek, and passed.

Maureen Graber gave the Treasurer's Report stating that she is working on the CTAS program. The current cash balances are \$484,022.98 for Falcon National Bank and \$103,275.70 for Bremer Bank for a total of \$587,298.68. Motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed to accept her report and to have her transfer \$78,275.70 from Bremer to Falcon due to a higher interest rate.

Clerk Spence led a quarterly budget review for the board. There are no areas for serious concern.

No citizens addressed any concerns during Citizen Feedback.

Motion was made by Supervisor Gondeck, seconded by Supervisor Waytashek, and passed to approve payment of the monthly claims #6327-6364 and electronic transfers to PERA and IRS totaling \$35,075.26.

Old Business included:

- A. Supervisor Erdmann gave an update on frontage road planning stating that eventually the board would like to see a frontage road from County Rd 13 to the County Rd 33 overpass. Since the new owner of Oak Hill Golf Course is planning to revamp the course, the board started communications with them on the possibility for a frontage road. Clerk Spence and Lloyd met with Jim Dahl, owner of the Golf Course, and he is open to the possibility of a frontage road, but wants to see more specifically how it will affect his property. Lloyd stated that he was unable to stake the right of way. One problem is that a T and green are within the Highway 10 setback and Benton County attorney's office has stated that these are not considered structures, so they are allowed in the setback. Board members will inquire about this at the Legal Short Course they are attending in April. MNDOT will be sending a crew to stake the right of way soon. There are two unbuildable lots involved in Golf Haven Estates and a lot on the northwest corner of Highway 10 & 85th Street that would also be affected in connecting Indian Road to 85th Street with a frontage road. A stormwater pond might have to be moved out of the setback area, and there is a triangle easement owned by MNDOT on the northwest corner of US10 & 85th Street. Continuing south the property is owned by Benton Development LLC; owners have previously stated that they would be interested in a frontage road. They will need to be involved in discussions. Kevin Reiter asked is there would be additional safety concerns by having a frontage road so close to Highway 10 at the 85th Street access; Ray Thompson expressed that the board shouldn't be spending any taxpayer money to build a frontage road. He felt that Lee Hanson should pay for it since it helps his development. Supervisor Gondeck and Erdmann both said that this is preliminary research, and no decisions have been made. The next step is to have a neighborhood meeting. Clerk Spence suggested that the meeting could be held on May 9th following the Public Hearing on 95th Street, since that is likely to be a brief meeting, and the town engineer would be present. Motion was made by Supervisor Erdmann, seconded by Supervisor Gondeck and passed to have the 85th Street neighborhood meeting on May 9th following the Public Hearing with invitations sent to residents of Oak Hill, Golf Haven, and Indian Road. Motion passed.
- B. Supervisor Gondeck gave an update on the sign installation on 75th that says: "Watab Township Ahead." He also asked the audience if the acoustics are better after the installation of the new ceiling tiles in the town hall meeting room. There is also a new donation board in the entry.
- C. SCORE Grants have been approved by Benton County for Clean Up Day and Adopt a Highway. Amounts have not been released. Clean Up Day is set for September 16th.
- D. Supervisor Gondeck reported that he has had difficulty with compliance on the Land Disturbance Permit at one site, but they are finally compliant. Four new permits were issued during the past month; he will close out 14 permits soon.
- E. The State Board of Assessors has formally acknowledged the Watab complaint on Balder Appraisal Service and will be doing an investigation.
- F. Supervisor Gondeck reported that he met with the landowner that caused damage to 105th Street with large equipment breaking off tar as they came onto the township road. The landowner has agreed to pay up to \$250 for the repair, which is the estimated cost. The Clerk was asked to draft an agreement, and Jerry Kostreba was thanked for bringing the damage to the Supervisors' attention.

New Business included:

- A. Annual Date for Road Tour: Motion was made by Supervisor Gondeck, seconded by Supervisor Waytashek, and passed to set April 10th at 8:00 a.m. for the road tour.
- B. Supervisor Gondeck asked Supervisors Erdmann and Waytashek how the board should proceed fulfilling the electors request to seek an alternative to fire and rescue protection from the City of Rice. Supervisor Waytashek responded that he has been researching and will forward what he has found to the Clerk. He suggested that a formal letter should be sent from the board to the Rice City Council asking for an immediate, formal response to the township's February 13th proposal. He added that the City of Rice has been responsible for all the delays in getting a contract, but they want the township to request extensions of the contract. He recommended approaching the City of Sauk Rapids to see if they will temporarily provide fire and rescue if the contract Rice finally offers the township is not acceptable. Supervisor Gondeck said that the City of Sauk Rapids has a four-part process for such a request. He read the minutes of the Rice City Council meeting where Mayor Rogholt stated that the council wasn't ready to decide, so they would need to extend the contract; then the township was instructed that they had to send a letter requesting an extension or the township would be without fire protection. Supervisor Gondeck said that he thinks the first step should be setting up a committee of interested citizens to work with the board on researching the township's options; he has talked with several townships that have their own fire protection either independently or as a sub-station. The state fire marshal's office has a free consultant who would meet with the committee and give recommendations. Chair Gondeck was granted authority to formulate a committee of seven residents from both Fire Districts I & II in addition to the board. Clerk Spence was asked to solicit interest on the website and email list. Jason Kruger asked about insurance rates if Sauk Rapids covered the township. Kevin Reiter asked about available grants. Motion was made by Supervisor Gondeck, seconded by Supervisor Waytashek, and passed to have Supervisor Gondeck invite the consultant and committee members to a May 15th meeting at 7:00 p.m. at the town hall.
- C. Motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed to set the Annual Public Hearing on Watab Townships Stormwater Pollution Prevention Plan will be held at 7:00 p.m. on Tuesday, May 2nd.
- D. Changes in the process for issuing Land Disturbance Permits was tabled until the public hearing.
- E. Motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed to adopt Resolution 2017-4: Accepting Donations for the Newsletter.
- F. The board reviewed the recommendations made by donations at the Annual Meeting:
 - 1) Motion was made by Supervisor Gondeck, seconded by Supervisor Erdmann, and passed to enter into a service agreement with the Tri-County Humane Society for \$1,500, which is for housing thirty surrendered animals from Watab Township.

- 2) Motion was made by Supervisor Gondeck, seconded by Supervisor Erdmann to donate \$1,000 to the Benton County Agricultural Society authorized under Statute 32.12. This will aid in the Fair Board continuing to offer a free fair.
 - 3) Motion was made by Supervisor Erdmann, seconded by Supervisor Waytashek and passed to donate \$1,000 to the Benton County Historical Society authorized by Statute 138.053. The historical society has Watab Township official records in their collection.
 - 4) The service contract needs to be completed with the Little Rock Lake Association before an allocation of funds can be made by the board for 2018. Electors recommended a payment of \$1,500.
 - 5) Motion was made by Supervisor Erdmann, seconded by Supervisor Waytashek, and passed to donate \$3,200 to the Benton Economic Partnership for dues in 2018 authorized by Statute 469.191. Supervisor Gondeck and Jason Kruger both expressed that they believe this is too high an amount. Motion passed.
- G. Treasurer Maureen Graber requested board approval to hire a network consultant for the town hall. The purpose is to provide more security for the wireless internet service, storage to electronic records, and networking of computers, printers, etc. A motion was made by Supervisor Erdmann and second by Supervisor Gondeck to hire Computer Dynamics. Supervisor Waytashek offered an amendment to set a cap of \$500, which was accepted. Motion passed.
- H. Sentence to Serve Work: Supervisor Gondeck will work with the STS crew on cleaning up debris in ditches during April and in May & June crack filling.
- I. Motion was made by Supervisor Waytashek, second by Supervisor Erdmann, and passed to revise the date for the road tour to April 24th at 8:00 a.m.
- J. The Board of Appeal will be held on April 11th at 2:30 p.m. at the town hall. This is the opportunity to request changes to your assessed property valuation.
- K. Report on MAT Short Course: All board members attended the Annual Spring Short Course offered by the Minnesota Association of Townships and gave favorable reviews of the training.
- L. Annual Legal Short Course will be held on April 20th at Otsego; Clerk Spence and Supervisors Waytashek and Gondeck will attend. Motion was made by Supervisor Erdmann, second by Supervisor Gondeck and passed to authorize Clerk Spence and Supervisor Gondeck to attend the MS4 training in Willmar on April 26th.
- M. Maureen Graber, Treasurer, informed the Supervisors that she has appointed Linda Langer as the Deputy Treasurer; Linda has taken the Oath of Office. Pat Spence, Clerk, informed the Supervisors that she has appointed Jason Kruger as the Deputy Clerk; he has also taken the Oath of Office. They were both thanked for their willingness to serve.
- N. Motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed to adopt Resolution 2010-10: Allowing the Clerk & Treasurer to Adjust the Year Beginning Balance

for the General Fund by \$93. This is due to an election judge losing her check and not informing the board prior to year-end; the check had to be voided. The State Auditor's Office provided advice on the process for making this adjustment.

- O. Motion was made by Supervisor Erdmann to adopt Resolution 2010-9: Setting a Gopher Bounty with the change to offering a bounty only for pocket gophers, that those receiving the bounty must be a township resident, and that the bounty be increased to \$3 per gopher. Front feet must be delivered to the town board chairman. After discussion, the motion was seconded by Supervisor Gondeck, and passed. Changes will be made by the Clerk before it is signed by the Chairman.

- P. Clerk Spence reviewed the communications received during the past month:
 - 1) Email from Monty Headley regarding the County Attorney's opinion on the Oak Hill golf course tee box and green.
 - 2) Emails from MAT regarding request to help defeat the Senate Omnibus Transportation Bill due to lack of adequate funding for townships and waivers to increase weights for milk trucks and some construction equipment.
 - 3) An invitation from Ehlers to a public financing seminar.
 - 4) Applications for zoning permits approved by Benton County for two parcels in Oak Hill Estates.
 - 5) Thank you letter from Marit Ortega, Tri-County Humane Society, on the reception she was given by township residents at the annual meeting.
 - 6) Copies of correspondence between Jason Kruger and Senator Matthews and Representative Newberger requesting assistance with billing renters. Jason was thanked for his initiative.
 - 7) Email from Geno Beniek requesting road repairs on Sanbur Trail.

- Q. Clerk Spence explained Resolution 2017-8: Board Duties & Affidavits. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to adopt the resolution.
- R. Supervisor Gondeck said that there have been several calls regarding development issues; there is a lot of activity and interest in building in Watab. Lake Andrew Development is about half way with construction of their permanent waste water treatment system.
- S. The board discussed the April work plan. Supervisor Gondeck will do the annual sign inspection and work with the STS Crew on the ditches. There are also several meetings and training that the board will do.

There was no additional citizen input, and everyone was thanked for their attendance and participation. The meeting adjourned at 9:10 p.m.

Respectfully submitted by Clerk Pat Spence