

Minutes of November 7, 2017 Town Board Meeting

The regular meeting of Watab Town Board was called to order at 7:00 p.m. on November 7, 2017 at the town hall by Chairman Craig Gondeck. Supervisors Lloyd Erdmann and Todd Waytashek, Treasurer Maureen Graber, and Clerk Pat Spence were also present. Audience members were: Lee Hanson, Jason Krueger, John Olson, Jerry Kostreba, Kevin Reiter, Ed Popp, Bob Raveling, Anna Saldana, Nick Anderson, and Jon Bogart.

Following the Pledge to the Flag, Chair Gondeck made a motion to amend the agenda to include a driveway permit for Tom Jorgenson and residential garbage issues; the motion was seconded by Supervisor Waytashek, and passed. Approval of minutes of Oct 3, 17, and 30 was given through a motion by Supervisor Gondeck, second by Supervisor Waytashek, and passed. Maureen Graber gave her Treasurer's Report with bank account balances totaling \$679,166.04. Motion was made by Supervisor Erdmann, second by Supervisor Gondeck, and passed to approve her report. She recommends putting some of the money into a savings account at Falcon National Bank to get a higher rate of interest. Motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed to accept her recommendation. Motion was made by Supervisor Erdmann, second by Supervisor Gondeck, and passed to pay claims # 6542 through 6564 and Electronic Transfers to IRS and PERA totaling \$22,694.02. There was no Citizens' Input.

Old Business included:

- A. Driveway Permit: Tom Jorgenson was present and requested a second driveway to get into a future shed. Supervisor Gondeck had visited the property and presented photos. Motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed to approve the permit.
- B. Supervisor Waytashek gave a report on the Benton County Board of Adjustment Meeting that he attended regarding the second variance request by The Grace Apartments to build on sub-standard size lots. He felt that the committee members had made their decision prior to the meeting and were not receptive to input from the township. Supervisor Gondeck reported that Mike Nwachukwu has lifted the restraining on him, so he will be able to do inspections as needed. Clerk Spence gave an update on the building permits. Mike needs to send photographs of the steps of roof re-construction on the garage for Nancy Scott's review. He is also completing the list of subcontractors for moving in and setting up the used mobile home that will go on one of the lots. Supervisor Waytashek raised the issue about supervisor access to the property and requested that our attorney send a letter to Mike's attorney advising him that supervisors can access resident's property for inspections.
- C. Supervisor Erdmann reported on the October 10th site meeting regarding drainage near the DNR land on 95th Street. The township has a permanent drainage easement between the DNR property and the residential lot immediately west of it. A pipe and swale will provide the needed drainage. MNDOT did not want any additional drainage from 95th Street in the U. S. Highway 10 ditch.
- D. Jon Bogart appeared before the board on behalf of the Cove Development. He presented a draft document which would serve as an agreement between The Cove and Watab Township to

facilitate phasing in of the wastewater treatment system based on the number of homes allowed in each phase. The township responsibility would be to let MPCA know when the number of occupancy permits is reached for each phase. Supervisor Gondeck said that the township would be pleased to help in this way, and no issues with the draft document were identified.

- E. Supervisor Gondeck reported on the street lights that were placed in the Ferry Point road right of way. One is eighteen feet from the property line. The board decided that the township should enter into an agreement that the property owner who installed the street lights will pay all future electricity and maintenance costs. Supervisor Gondeck was also asked to speak to the owner about moving the mailbox.
- F. Supervisor Gondeck thanked the Department of Development for their assistance in cleaning up the garbage issue in Highview Terrace. He has received two new complaints about garbage and junk cars. Motion was made by Supervisor Erdmann to have the Clerk send photographs of the two different addresses to Benton County Department of Development.
- G. Clerk Spence gave an update on progress with getting an OCI number so that the township will be able to share in criminal fines for crime committed in the township. The township share will be approximately two-thirds. All the paperwork has been sent and accepted at the Bureau of Criminal Affairs and the township should get our OCI number in two to four weeks.
- H. Supervisor Gondeck and Clerk Spence attended the Committee of the Whole Meeting held by the Benton County Commissioners regarding a response to the township's letter about Roxanne Achman's handling of The Grace Apartments request for variances and a conditional use permit. The township was not allowed to speak during the meeting. Michelle Meyer, Assistant County Attorney and Roxanne Achman, Director of the Department of Development, went through a chronology and defended their actions. After Commissioner Popp's question of whether the Conditional Use Permit would have been granted for a Mobile Home Park if Watab hadn't intervened, Roxanne did not answer his question. Commissioner Bauerly questioned if the process is working. Clerk Spence told the town board that the timing does not work for townships, because the county needs to respond within a short period of time when they get a request, and the town boards generally meet once a month. After hearing this report, the board discussed the potential benefit of having a township planning and zoning department to address issues in a timely manner. Lee Hanson said he has had two issues where Michelle Meyer is unreasonable. She requires an updated abstract for property splits, which Lee said is a nineteenth century approach. Other counties rely on a title commitment, because most land doesn't have an existing abstract and it is costly to get one. The township also has had long delays in getting the park dedication funds established through a subdivision ordinance. Michelle told the township attorney that Watab doesn't need a Subdivision Ordinance, because the county board wants to turn the park dedication money over to the township. Commissioner Popp said they haven't discussed this. He said that Watab Township would have input in a new Comprehensive Plan.
- I. The Department of Development has notified the property owner and copied that township that Riverside Concrete's site complies.

A brief recess was taken to celebrate the retirement of Supervisor Waytashek from his many years of military service. He retired at the end of October as a Colonel in the Army Reserve. He was presented with a decorated cake thanking him for his service to our country, which everyone enjoyed.

New Business included:

- A. The 2020 Census will be handled by Benton County.

- B. The sprinkler system for the lawn has been flushed out. There is a broken head that will need repair or replacement. In the spring the board will need to check the shrubs around the flag pole.
- C. Supervisor Gondeck reported on the MS4 seminar that he attended in Rogers. He learned that he needs to contact the property owner rather than the contractor when there is a violation. All warnings need to be written. Pipes from sump pumps cannot empty into storm sewers if the water ends up in public waters.
- D. Supervisor Gondeck attended the Benton County Board meeting when they discussed their 5-year road plan. There was discussion about milling and overlaying County Road 55 between Rice and 95th Street in 2019. The town board feels that County Road 55 needs to be more of a county priority, especially south of 95th Street where there is greater housing density. There is also a lot of bicycle traffic using County Road 55. Commissioner Popp said that the county board is considering a half-cent sales tax for roads.
- E. The board discussed a grant application to reconstruct Fifth Avenue between County Road 4 and 85th Street NE. Lee Hanson said that his family would pay all the engineering costs. The grant application is for MNDOT funds through their Local Road Improvement Program, and Benton County would be the fiscal agent. Lee Hanson said that the only reason the township knows about this grant and has a chance at the funds is because of the board's relationship with Claudia Dumont at MNDOT. The board approved Resolution 2017-17 to apply for the grant through a motion by Supervisor Gondeck and second by Supervisor Erdmann; motion passed.
- F. The board set November 21st at 7:00 p.m. as a work session to complete the road mapping as requested by MNDOT.
- G. Supervisor Gondeck said that the application for a Land Use Permit for a storage shed in Lake Andrew meets the development guidelines; he spoke with Scott Jarnot about it. Clerk Spence said that it will be 12' x 12' in size. The board had no objections to the shed.
- H. Clerk Spence went through communications received by the board.
- I. Board members talked about work to be done in the coming month. Tree trimming still needs attention.
- J. Kevin Reiter asked about progress on the Lake Andrew wastewater treatment system. Supervisor Gondeck said that MPCA oversees it, and it should be completed by the end of December.
- K. Information meetings on options for delivery of emergency services in the township will be held at 9:00 a.m. and 7:00 p.m. on November 14th. Supervisor Gondeck was asked to order donuts for the meetings.

The meeting adjourned at 9:45 p.m.

Respectfully submitted by Clerk Pat Spence