

Minutes of Watab Special Town Board Meeting
November 10, 2009

The Watab Town Board held a special meeting with the residents of Fifth Avenue to discuss whether or not to blacktop the road this fall. The meeting was called to order by Chair Ed Kacures at 7pm. Board members present were Supervisors Ed Kacures Jr, Lloyd Erdmann, Craig Gondeck and Clerk Pat Spence. Audience members present were: Chuck Wocken, Douglas Boser, Kevin Gray, Pat Goenner, Christ Carstensen, Janell Haus, Irene Strang, Shawn Corrigan, LouAnn Corrigan, Barb Kirchner, Gary Buermann, Janice Buermann, Delroy Rothstein, Gary Aschenbrenner, Mary Popp, Noel Johnson, Kevin Rueter, Bob Steffen, Geno Beniek, and Josh DeRosier.

The Chair asked Pat Goenner to let everyone know what happened last week. They put in driveway culverts and started shaping up the ditches and getting piles of dirt off site. Class 5 was also completed on the center 24 feet of the road. They are talking about pulling it out to the full width on Friday. All culverts should also be in by Friday of this week. Stumps and brush are being burned or pulled off site. Supervisor Erdmann asked about the frost heave by the paper mill. Pat said that the contractors opened the road several feet deep to the sand. There was nothing unusual in the top three feet of soil down the center of the road. Chuck Wocken said that in the past when there was snow the road didn't heave; when there wasn't snow it heaved. The board suggested further testing across the road and deeper in front of the gate. The decision was made to dig in the adjacent ditch.

The Chair asked for comments from the audience. Doug Boser said that today they had their third power outage, and it was the second time a 12 year -old child was left at the end of the road. The road isn't certified for bus traffic. He is starting to look at different options and had his attorney present. The attorney stated that the power outages and business interruptions are causing Boser Construction to lose money and prospective clients. The attorney is looking for legal remedies; and that could be where it ends up. Doug doesn't feel that his concerns have an adequate response. The power was out for about two hours. East Central Energy said that the line was unmarked and that the workers were digging too deep with steel shovels. East Central Energy came and set up a generator. This is Boser Construction's busiest time of the year and he is extremely worried about the power outages. Also, without the phone lines in, when customers call they get a message that says that "This number has been disconnected."

Chuck Wocken said that he got stuck and Pat Goenner tried to help get him out. He drives a Kia Spectra and buried it to the floor boards. Now the car won't shift out of second gear and it's been in the repair shop for over a week. He asked if residents can turn in the invoices for car repairs to the township? The board chair said that Jon Bogart, township engineer, said that all damage reports need to be forwarded to him and then on to the contractor. Mary Popp said that she has a four wheel drive vehicle and has it put on a lift at work twice a week to have the underside of the vehicle sprayed off. It is the only way to keep it drivable. She added that the road is not passable with a car, only with a truck.

Doug Boser asked what date the tar was removed. Pat Goenner said that it was about the last week of September. He would need to check his records to give a specific date.

The Class 5 will total about seven inches when it is complete and will be widened out. Knife River will put up mailboxes with the swing arm in the near future. The driveways will be improved; Supervisor Erdmann said that what should happen is that the driveway would be left with class 5 properly compacted. If the road is paved, the driveway should be paved. Doug Boser has asked to review the contract with Knife River. He added that the two people accountable for this project are not at the meeting: Marvin Tretter and Knife River. Where is the accountability? The board said that both had been invited and were expected to attend the meeting.

There was discussion about Knife River working on weekends. They will not work on Sundays and have worked most Saturdays except opening the Saturday of deer hunting. Someone asked who is

in charge. Knife River is in charge. Supervisor Erdmann said that as of two weeks ago, the conversations with Knife River seemed to show that they would step up their efforts, but that has slacked off again. Pat has records of who has worked every day. He is supposed to have 8 people working every day. Supervisor Erdmann said that he believes the contractor has to pay for redo of compaction if the tests fail. The board decided to do density tests; Pete will check on the specs to see who is responsible for failed compaction tests.

Barb Kirchner asked when they will get phone service and internet service restored. Calls are being dropped. Benton Coop is aware of the problem. The board will check with Benton Coop to learn when the wiring will be plowed in. Residents said they had seen Benton Telephone trucks on the road today.

The question was asked by a resident if her fence would be put up through the winter. The board asked Pat to check on it. No one asked Doug Boser if his fence could be taken down. Fencing will be going up this year. It will be replaced in kind. Corey will be responsible for putting up the fence.

Doug Boser asked about subcontractor lien wavers. All payments are run through Knife River. Pete said that he would have to ask Jon Bogart the answer to this question. Pat was asked to get the info from Jon and get information back to the board, so we can inform Doug. Clerk Spence checked the contract and told Doug that lien wavers must be provided before payment is made.

Gary Aschenbrenner asked about the projected completion date. There needs to be urgency getting the dirt out of the ditches. Most of it should be removed by the end of the week. The berm by Lake Andrew will be the same height as before. There will be more cut back for snow storage: about ten feet with a four to one slope.

Residents asked when the blacktop decision would be made. Supervisor Gondeck asked who would be responsible for the extra class five if the road isn't blacktopped and it gets pushed off from snowplowing. Supervisor Erdmann said he thought that it would be the responsibility of the contractor, because the road was supposed to be tarred this fall.

Supervisor Kacures said that Jon Bogart and Knife River don't recommend blacktopping the road this fall. He read Jon's letter: "The state of 5th Ave is improving dramatically over the last week. However, it is my feeling that it will be unlikely that we will be able to perform a roll test before end of next week. There is a fair amount of work yet to be done before a roll test on the class 5 can be performed. The topsoil must be moved and dressed along the in slopes of the roadway. Some ditches are yet to be cut. The centerline culverts were not all paced as of yesterday afternoon. Additional class 5 materials will need to be hauled in after the completion of the slope dressing to bring the width of the class 5 to full width. The curbing has not yet been placed. Final elements of the drainage design such as riprap at the curb ends are yet to be placed. Most importantly of all is that the class 5 gravel must set up and pass a roll test before we pave. My understanding is that next week will be turning somewhat colder. The minimum paving temperature is 32 degrees F when paving. I would however prefer that it would be somewhat warmer when we pave. My biggest concern however is the amount of moisture the sub grade received during the month of October. The past two weeks have helped to dry things out, but I still have concerns that certain areas may have softer areas deeper down that we won't see immediately. It has been my experience that by letting a newly constructed road that was constructed during a wet fall to go through a freeze thaw cycle eliminates problems that would otherwise surface in the spring. It is possible to pave a road successfully at this time of year and we have completed several without issue. But by keeping the roadway as a graveled roadway during this winter and paving in late May, early June will avoid potential problems with the asphalt surface. Therefore all other considerations being equal my recommendation to the Board is that we postpone paving until the late spring". Jon Bogart, P.E.

Doug Boser said that the problems are because the subcontractor will not do what he is supposed to do. Doug said that the board has done a good job. Doug said that the contractor should eat the extra costs. Supervisor Kacures said that it's costing the township extra money for the board to be out there nearly every day. Chuck Wocken said that it would be a mistake to blacktop now. Mary Popp asked about who they can talk to about their driveway. They should talk to the board and the engineer. Their driveway should be shaped and widened this fall if weather permits.

Someone asked what happens if the oil cost goes up. Supervisor Kacures said that this is being projected now. Supervisor Erdmann feels that we shouldn't bear any additional cost. He said that Knife River will have to pay the increase if they don't finish this fall. There will be two layers of blacktop. Supervisor Gondeck said that he asked Brad Arneson, VP of Knife River, on September 26th if the price would hold if the black top has to be done next spring, and they said it would. He said that Knife River will make the decision this week about blacktopping. He added that both our Engineer and the Benton County Engineer recommend not paving this fall. We will need an agreement with Knife River for road maintenance to keep the road passable during the winter. Doug Boser asked how this will affect Jason Chapman with snowplowing this winter. The board thanked the residents for their patience during the road construction and for coming to this special meeting.

The meeting adjourned at 8:45.

Respectfully submitted by Pat Spence