

Minutes of Watab Town Board Meeting

May 6, 2008

Chair Craig Gondeck call the regular monthly meeting of the Watab Town Board to order at 7pm on Tuesday, May 6, 2008. All board members were present: Supervisors Gondeck, Lloyd Erdmann, Ed Kacures Jr., Treasurer Eileen Saldana, and Clerk Pat Spence. Audience members present were: LeRoy Cekalla, Marlen & Marcy Johnson, Kathleen Sherman, Douglas J. Boser, Maureen Graber, Rosie Johnson, Taunya & George Mastey, Walter L. Janson, Earl Harden, Duane D. Cekalla, Jim Hovda, Paul Jacobs, Dennis Arntson, Brian Erdmann, Jim Brownson, Paul Schwinghammer, John Pearson, Diane Juben, Bill Bettendorf, and Allen Schlien. The Chair dedicated the meeting in memory of Lloyd Hammerel, who died recently and was an involved citizen of the township. A motion was made by Supervisor Erdmann and seconded by Supervisor Gondeck to approve the agenda with the change of the Cove project being moved to the beginning of the meeting as some of the presenters had a long distance to travel. The motion passed.

Supervisor Gondeck made a motion to approve the minutes of the April meetings with a change to the last sentence of the April 30th minutes to state that "Supervisor Gondeck made the motion" and it was seconded by Supervisor Erdmann. Supervisor Kacures questioned if he had seconded the motion to appoint himself to the Fire Board, and Supervisor Erdmann questioned if he made the motion to nominate Supervisor Gondeck as Board Chair. The Clerk stated that was what she heard, and there were no other changes made to the minutes; they were approved as printed with the change stated above.

The Treasurer's Report was given by Eileen Saldana and approved on motion by Supervisor Gondeck and second by Supervisor Erdmann; the motion passed. No citizen's issues were brought before the board.

Doug Boser introduced LeRoy Cekalla who is working on the **Pirate's Cove Restaurant and Banquet Center**. The Rice Legion is under intent to purchase Cove property. Projected beginning date for construction would be September 1, 2008. They would continue to run Rice Legion in Rice as well, as it is a profitable business. They started on this project in January 2008 and were first attempting to build in Rice. A hindrance to building in Rice would be competing with The Cove Restaurant if under competing ownership. Doug Boser is the construction manager for the project. Having the Cove Restaurant back in Watab Township will put good jobs in the township and a destination. It will be a separate operating entity from the Rice Legion Club and will be under the Pirate's Cove Restaurant. There will be other investors besides the Legion. It will be the only high end restaurant/lounge with banquet facilities on the Mississippi River from the Twin Cities to the Headwaters. The Pirates Cove will be a two story facility with fine dining upstairs and multi-use banquet facilities on the lower level. A 400 square foot gazebo is also approved on the project. Docking area for 30 slips has been approved by the DNR. St. Cloud can celebrate the river that runs through a great city. The benefits of the new building will be the availability of distinctive banquet facilities in close proximity to St. Cloud proper area. They plan to do a national search for a General Manager and Executive Chef. The General Manager will come on board when they break ground. In September they'll be booking events that begin May 1, 2009. LeRoy has made a commitment to oversee this project for five years, because he thinks it is a great project. There will be a seven member board of directors comprised of people who are from business, restaurants, and executive chefs. He showed the elevations of the building on the property as approved by Benton County. The drawings of the building are preliminary; styles and colors may change. It will be 16,000 square feet in size. Doug Boser commented on how the St. Cloud Convention Bureau is looking for a venue like this for people who come into St. Cloud for conventions. There will be 30 boat slips for docking. LeRoy showed the audience the site plan. \$1.1 million is projected for annual labor;

that is 34% of gross sales. A qualified management staff will be hired. Total jobs will be approximately 65; this will vary seasonally. Chair Gondeck pledged his support of the project. There were no questions from the board. Jim Brownson added that there will also be a grill and bar in the facility. Doug Boser commented on how the project will bring the community together again.

Snowplowing Contract: Doug Boser said he will assist with the snowplowing contract issue, because he does a lot of bid work and would be able to help with the Request for Proposals process. He would be asking for the best ideas from all the potential contractors, and then the board would choose which proposal they like. Doug has participated in this process in redevelopment areas in cities. It encourages creativity and is a good, simple process. Maureen Graber said all the ideas could be reviewed in a work session. Supervisor Erdmann and Supervisor Kacures said that they support the idea. Brian Erdmann asked about procurement of salt/sand. The Clerk said that the township is eligible to get salt/sand through Benton County's State Procurement Contract. Doug suggested putting the Request for Proposals on the website for citizen input. Supervisor Erdmann suggested a special board meeting to set up the Request for Proposals. The meeting was set for May 12th at 7pm on motion by Supervisor Gondeck and second by Supervisor Erdmann. Motion passed.

Town Hall Report: Doug Boser reported on his recommendations for a different water heater to save on electric costs. The current water heater would be put up for sale. The tank water heater would cost \$730. The change to an electric boiler for the infloor heating would involve a 9-year recovery period for payback at current electrical costs; cost for this change is \$4,465. The meter sockets would have to be moved, which is a \$2,200 cost. The other alternative to save electrical cost is to run the gas furnace more and not run the infloor heat. Doug's estimate on adding an iron filter is \$3,960 for both the building and sprinkling system. Doug will inquire with Traut about alternate ideas. Acoustical ceiling spray (about one inch thick) would be \$3,780. It is a soft finish that can be nicked. The other alternative would be acoustic panels put on the wall; they are covered with fabric. Chair Gondeck tabled this until the next meeting so that Doug can see how the fabric wall panels are working in the new installation in St. Cloud. Supervisor Kacures asked about access to Pirates Cove water; Supervisor Erdmann said that the wells at the Cove were just installed. Maureen Graber suggested an inline iron filter, which would be more cost efficient. Paul Schwinghammer agreed. Zone control valves are outside the building. Doug said that he will get more information. This issue will be on the June meeting agenda.

The Rice Fire Board Report was given by Supervisor Ed Kacures. The fire board met on April 16th to review the financial report. Mayor Fiedler told the fire board that they would no longer be reviewing these at meetings; rather board members were to contact the City Clerk before meetings. Supervisor Kacures said that he requested that these continue to be distributed at the meetings. Supervisor Kacures said that Supervisor Gondeck distributed MN Statute 365.181 at the meeting, which states that fire board members have the right and responsibility to review fire department financial information. Supervisor Kacures also said that Al Voigt again raised the issue about the \$250 charge for reimbursement of cost for his daughter's accident on Highway 10. A lengthy discussion ensued at the fire board meeting, which ended with the Mayor telling Mr. Voigt that it was a township issue. The Mayor also passed out the city audit statements for 2007. The next Rice Fire Board meeting is September 24, 2008, when budget information will be distributed. Supervisor Erdmann asked if the Fire Board thinks we're asking for too much information. Supervisor Gondeck said that they don't want to give us anything. The Clerk informed the board about the correspondence from Al Voigt asking the township for a report of all receipts and disbursements for 2007. She asked the board for direction on supplying him the requested information. The Clerk explained the legal advice from Kent Sulem, Minnesota Association of Townships, on this issue stating that the township is not governed by the Data Practices Act, so it is a board

decision on whether or not to give the information. Supervisor Erdmann made the motion for the Clerk to send the request form to Al Voigt and give him the information requested if he agrees to the conditions of paying the copying costs and reimbursing the township for the Clerk's time; motion seconded by Supervisor Gondeck and passed. Doug Boser said that he would like to look into having our own fire department. Tom Finken just moved into our township and is a former Fire Chief in Melrose with 17 years in that department. He would also help us research this. Doug made an informal request to the Rice Legion for funding to support checking into this. Grants are available for gear and trucks. Doug made a formal request for permission for him and Tom Finken to research this. By September he would like to come to citizens with a proposal; there is a good opportunity to do this without raising taxes significantly. Supervisor Erdmann made a motion, seconded by Supervisor Kacures to proceed and accept Doug's offer to do the necessary research; motion passed. Supervisor Kacures also asked if the township should simultaneously look into seeing what Rice would offer if we reopen the contract, since Mayor Fiedler has suggested reopening it several times. Supervisor Erdmann suggested that Supervisor Kacures talk with the Mayor about this prospect.

MS4 Annual Report was given by Maureen Graber through a power point presentation. She covered environmental harm that exists with our water system. MS4 is the Municipal Separate Storm Sewer System. It gives permission to discharge water into public waters. We were mandated to comply with this in 2006. We have developed a SWPPP—Stormwater Pollution Prevention Program. Our permit was published in November 2007. Maureen welcomed comments from citizens. She stated that the township has complied with the public notice requirements, and the seven control measures must be implemented in five years. She showed the audience the SEH website where information is recorded. Paul Schwinghammer reviewed a recent complaint and how it was handled and recorded. There is a paper trail for all complaints. Currently, the township must tie its actions to state requirements, because we don't have an ordinance for enforcement in the township at this time. There will be quite a bit of detail in our future ordinance to cover current problems. Brian Erdmann said that he would like to review the complaint in detail with Paul Schwinghammer and take care of the problem. The complaint report will go into the SEH document. Supervisor Gondeck suggested that a certified letter be sent to the owner so that there is a record of communication. The board commended Paul on how he is handling the complaints. We want to be in the role of educating people. Supervisor Gondeck asked how this would interface with Developer Agreements. Paul explained that it would be part of site reviews. Brian Erdmann asked where SWPPP plans should be filed. The township in the future will have a site review fee for contractors. The information will be added to the township website. Supervisor Gondeck how the township costs would be covered. Paul Schwinghammer and Maureen offered suggestions; it will be a board decision. Supervisor Erdmann summed it up by saying that the federal government has made the township police stormwater runoff. Maureen was commended for her excellent work on Ms4. Supervisor Kacures asked Maureen and Paul if they are looking at other ordinances. She listed those reviewed and stated that they like West Fargo's plan. There will be a future work session to develop more detail.

Kathy Scherman of Tri-County Humane Society gave a presentation on this agency; they currently take in 4500 animals a year. The City of Rice, Sartell and Sauk Rapids contract with them. The advantage is that pets can be retrieved by their owners and it also keeps strays down. They "rehome" pets if people can no longer keep them. Pets' health is checked, they do educational tours on and off site. They also contract with half of the townships in Stearns and Sherburne County. If in contract with this agency, they agree to accept the animals and hold them for five business days. After that, they can be put up for adoption. The cost to the township is \$10 per day for each pet. If the owner is found, there is no fee to the government entity. Supervisor Gondeck said that he has to abstain from comment because of a conflict of interest. Kathy said that she would be happy to track how many

animals are coming to the shelter from Watab Township. Motion was made by Supervisor Erdmann, seconded by Supervisor Kacures to put this on the annual meeting agenda. Motion passed with Supervisor Gondeck abstaining. Kathy was thanked for her presentation.

Bob Erickson reported on the road tour. He described the frontage road project. It was tabled for three years. Everyone has a copy of the road tour. Ed reviewed the inspections of the snow plow damage to roads. On April 17th he left a message with George Mastey not to proceed with repairs because there is more damage than the six sites he had reviewed on April 3rd. There are three or four additional locations. George indicated that there is a new type of mix containing granite chips that might work better in some of these damaged areas. Because it is so wet, he feels we should wait until the ground dries up. Supervisor Kacures said that he asked George to clean up the areas where there are chunks of gravel and asphalt. George agreed to fix the areas and remove the debris at no cost to the township. On April 3, George and Supervisor Kacures also discussed damage in Shangri La at Don Girtz residence; and George and Don have settled this issue; George provided a written agreement for the board's information. Supervisor Gondeck made a motion that the bituminous patching continue to be done by Saldana Excavating, because they have done a good job in the past. Motion was seconded by Ed. Motion passed. Seal coating projects were addressed. Diane Huben asked about having Shangri La road reviewed. Allen Schlien asked about Jasmine Loop drainage issue by a culvert. Supervisor Gondeck asked for permission to get quotes on seal coating. Other supervisors questioned if seal coating will be cost effective. Supervisor Gondeck made a motion to get quotes on seal coating or other remedies on Roseanna Beach, 10th Ave NW, and Saldana Road. Bob Erickson will look at Plaziak Road dip in road that was repaired last year. Ed Kacures also suggested that Craig look into reclaiming cost as well. Supervisor Erdmann seconded the motion with the understanding that Supervisor Gondeck get information both on seal coating and reclaiming. Supervisor Erdmann also suggested looking at the dip on the west side of the railroad tracks on Saldana Road. Motion passed. Supervisor Kacures said that the board looked at the need for turnarounds in the Hanson Development. Supervisor Erdmann said that they agreed to temporary turnarounds three years ago, but that area was sold and a home built on it. There needs to be temporary turnarounds for the snowplow. A letter should be sent to Oak Hill Estates inviting them to the next meeting to discuss the turnarounds. The turnaround by O'Keefes is not large enough for the snowplow to turn, and Bob Erickson will review it. Supervisor Kacures made a motion that we take a serious look at Fifth Avenue and money be spent to get engineering started and cost estimates made. Then cost can be spread out in phases. Because of the wetlands, Ed feels that we will need to use a registered engineer for some of the work. Brian Erdmann suggested getting ideas from contractors. Motion was seconded by Craig to have Bob Erickson begin this process on Fifth Avenue and consult with an engineer and come back for a recommendation, motion passed. Cost will be kept as low as possible for the engineering. Bob can do most of the drafting. Supervisor Gondeck made a motion to contract with Borgert Peterson as the engineer, seconded by Supervisor Erdmann for discussion, and passed. Supervisor Erdmann said that he'd like to keep consideration open to do more sealcoating if budget allows. Supervisor Kacures asked how George should handle 10 damaged areas. Supervisor Erdmann suggested that blacktop be replaced at original depth and gravel reshaped to original. George said he would patch them. Ed was asked to work with George on the patching. A question was asked about things placed in the road right of way.

A motion was made by Supervisor Gondeck and seconded by Supervisor Erdmann to pay all bills as presented; motion passed. Supervisor Gondeck reported on a perpetual garage sale complaint and the county position being that the township should handle such complaints. Supervisor Erdmann feels that there is only one complaint; he recommends that there be no action.

Review of Complaints: Chair Gondeck said that there had been numerous complaints during the month; he reviewed the complaints and action that had been taken. He also stated that he is working on a brochure that would be paid for by developers and he is working on a town hall wall of fame with photos of previous officers. Supervisor Kacures asked if we have funds for new chairs for the supervisors for the hall. Supervisor Gondeck offered to check prices; motion was seconded by Supervisor Erdmann and passed. Supervisor Gondeck said that the parking lot was swept on Sunday. Supervisor Erdmann said that the pond was mulched and seed is growing. Rip rap needs to be extended. Supervisor Erdmann offered to do the work at a reasonable rate. The dike is on the adjacent property and isn't needed at this time; he recommends moving it onto our property.

A citizen has requested that we work with Sauk Rapids and Rice on allowing our citizens to use their compost sites. Supervisor Gondeck will talk to Sauk Rapids about access to their compost site. He'll also check on policy with Rice. A report will be given at the next meeting.

Supervisor Kacures suggested that we send email to county website by May 15th that we require pumping of septic every two years and provide the townships with a log. Motion was made by Supervisor Gondeck and second by Supervisor Kacures to do this; motion passed.

The Clerk reviewed the monthly correspondence.

Allen Schlien asked to have the parking lot at the hall monitored by the county sheriff's department at night. He also asked to have the burning permit payment increased to \$2 to match surrounding areas. Supervisor Erdmann made a motion to increase burning permits to \$2 effective immediately; Supervisor Gondeck seconded and motion passed. There is currently a burning ban.

The meeting adjourned at 10:30pm on a motion by Supervisor Gondeck and second by Supervisor Kacures. Motion passed.

Respectfully submitted by Clerk Pat Spence