

January 6, 2015 Town Board Meeting Minutes

Chair Ed Kacures Jr. called the regular monthly meeting of the Watab Town Board to order at 7:00 p.m. on Tuesday, January 6, 2015. All board members were present: Supervisors Kacures, Lloyd Erdmann, and Craig Gondeck; Clerk Pat Spence; and Treasurer Eileen Saldana. Audience members were: Jason Krueger, John Olson, Allen Saldana, Don Berger, and Kevin Reiter. Following the Pledge to the Flag, the Chair announced the approval of the agenda with the removal of Nancy Scott's annual report due to her illness; a motion was made by Supervisor Erdmann, second by Supervisor Gondeck, and passed to approve the agenda with that change.

Chair Kacures called to order the Public Hearing for Ordinance No. 6: An Ordinance to Meet Construction Site Erosion and Sediment Control and Post-Construction Stormwater Management Regulatory Requirements for Watab Township's MS4 General Permit MNR040000. Clerk Spence gave a presentation on the proposed ordinance. She explained that its purpose is to meet the regulatory requirements for construction activity. Watab Township is a mandated small MS4 by the State of MN. The ordinance is intended to meet the Minimal Impact Design Standards (MIDS) developed under Minnesota State Statute. The goals of the new permit that was issued to Watab Township in March 2014 are all aimed toward protecting and improving our waters. Clerk Spence introduced Don Berger, State Program Administrator Principal for the Municipal Division of MPCA, who was present for the public hearing. Board Chair Kacures called for those wishing to speak in favor of the ordinance to address the board. Jason Krueger asked Supervisor Gondeck about how often he sees a problem when he does inspections. He said nearly all are in compliance. Allen Saldana asked about the building code and how it relates to this ordinance. He expressed concern that a town board supervisor is visiting the construction sites and questioned his expertise; he feels that the county should be managing and overseeing it. An explanation was given, that Benton County's only role with MS4 is for the county roads and ditches. Supervisor Lloyd Erdmann commented that he is a contractor, and that the state is really cracking down on construction sites when, he believes, 80% of the problem with water pollution comes from farmers. Supervisor Gondeck said that he serves on the Benton County Water Advisory Board and understands that what Supervisor Erdmann is saying is the truth. Allen Saldana asked if the township's building inspector, Nancy Scott, could do the MS4 inspections or someone with more authority than Craig. The town board members explained the training that they are receiving and that they work with certified MS4 consultant Wayne Cymbaluk on the township MS4 program. It is a large cost saving to the township to have this arrangement than to hire a certified engineering company. There was further dialogue with Allen about training and the role of the board members. Allen's other concern is that he believes Watab is the only township doing these inspections; he believes that contractors are totally confused about the process. Clerk Spence explained that the township is trying to make the process as contractor-friendly as possible and that it takes time for everyone to be educated. There is information on the Benton County Land Use Permits that contractors need to contact the township for an MS4 Permit; also Land Disturbance Permit Applications are attached to the Building Permits; the township aims to review and issue the permits within 48 hours of receiving the application. If an outside contractor was used, the process would be slower and more costly. Wayne Cymbaluk will be involved for all projects that disturb one acre or more or on sites involving greater than 10,000 square feet of land disturbance that discharges to an impaired water. The Chair again called two times for those wishing to speak in favor. He then asked for those wishing to speak in opposition to the ordinance. Allen Saldana said that he is opposed because of confusion on the part of contractors with regulations in Watab not found in other local governments around here. The board and Don Berger explained that only cities and townships with impaired waters and adjacent to large municipalities are designated MS4's. After two additional calls for those wishing to speak in opposition, and hearing none, the Chair closed the Public Hearing. A motion was made by Supervisor Erdmann, seconded by Supervisor Gondeck, and passed to adopt Ordinance No. 6. Don Berger said that he would be back in touch with the board about the relationship of counties and their regulations to MS4's.

A motion was made by Supervisor Gondeck, seconded by Supervisor Erdmann, and passed to approve the minutes of the December meeting. A motion was made by Supervisor Erdmann, seconded by Supervisor Gondeck, and passed to accept the Treasurer's Report with a cash balance of \$473,711 at the end of December. There were no citizen's issues brought to the attention of the board. A motion was made by Supervisor Gondeck, seconded by Supervisor Erdmann and passed to approve payment of the monthly claims #5635 through 5659 and electronic transfers for PERA and IRS totaling \$101,377.72 and to withdraw funds from the appropriate accounts. Chair Kacures asked a question about the bond payment, and the board questioned the payments for the cable franchise tax from the City of Rice. Clerk Spence said that payments are received erratically and sometimes held in Rice for three to four months. The board asked her to contact Benton Telephone about the potential of receiving the payment directly rather than through the City of Rice.

Old Business:

1. Rice Fire Contract: Supervisor Erdmann described the December 22nd City Council meeting; the Council granted Watab a two-month extension of the 2014 contract. Supervisor Erdmann asked about the requested contract proposal without first responder service. Mayor Rogholt said Rice would be back to the township with a response during January. Clerk Spence explained the email message from the City Clerk. A motion was made by Supervisor Gondeck, seconded by Supervisor Erdmann, and passed to approve the chair and clerk to sign the two-month extension of the contract. Kevin Reiter talked about the political process in Rice City Council. Allen Saldana asked about the extension. Jason Krueger asked if the vote on the extension was unanimous.
2. Crack Filling: Supervisor Gondeck reported that when the weather breaks, the STS crew will finish the crack filling and also the brush cutting on Frost Road.
3. Frost Road Quiet Zone: Supervisor Kacures reported that he met with Jon Bogart on the Quiet Zone projects. There will be a meeting on February 18th at 11:00 a.m. at the Frost Road Crossing with all the involved parties. Jon requested that Supervisor Erdmann be at that meeting, since he will be the inspector during construction. Curb and gutter may be extended further for the approval process.

New Business:

1. A motion was made by Supervisor Gondeck, seconded by Supervisor Erdmann and passed to approve contract renewal with Wacosa at \$48.38 per hour to clean the town hall on a monthly basis. Supervisor Gondeck signed the contract renewal.
2. West Lake Road parking issue: Supervisor Gondeck had a complaint from two citizens about the issue of fishermen parking along the edge of the road by the bridge reducing the traffic to one lane. It was quite a problem for about a month. He asked to table the issue in order to talk to the Sheriff about it.
3. Supervisor Gondeck said that he has had a request from two residents to do a speed study on 105th Street to see if the speed could be reduced. This was tabled to that he can talk to Mark Ebnet, Benton County Public Works.
4. ATV signage: Supervisor Gondeck said that signs banning ATV's have been placed along Highway 10. He wants the township to consider this in the future for township roads where there are problems.
5. SCORE Grant Report: Clerk Spence reported that the grant report for Adopt a Highway was submitted to the county. Supervisor Gondeck asked for permission to increase the amount of the grant application for 2015 to \$2,500. The board agreed.
6. Motion for the Clerk and Chair to sign Resolution 2015-I establishing an absentee Ballot Board was made by Supervisor Erdmann, seconded by Supervisor Gondeck, and passed. A question from Jason Kruger was why the township election isn't in November; answer was that it is the people's choice to have it in March or November.
7. SWPPP Inspections: Wayne Cymbaluk recommended that when we send the Notice of Abatement, that the township attach the ordinance or law that applies to their violation. Supervisor Gondeck said that his inspections are going well. He recommended that contractors have their BMP's in place before they get their Land Use Permit. One problem site will have a rock entrance put in place. Supervisor Erdmann

recommended that inspections be done as the Ordinance states. Clerk Spence and Supervisor Gondeck will work this month on the schedule for inspections.

8. March 10th is the annual election and meeting. The board decided to have three election judges for each shift.
9. Township Newsletter: deadline for articles from the board is the February town board meeting. Assignments for articles are: (1) Supervisor Gondeck: Clean Up Day, Adopt a Highway, and Dry Hydrant Systems; Clerk Spence: MS4 related issues and financial reports; Supervisor Erdmann: railroad quiet zones.
10. Clerk Spence led the board through a quarterly review of the 2014 budget. All Fund spending is less than budgeted.
11. MS4 Work Plan: Motion was made by Supervisor Gondeck to approve the MS4 work plan as presented by Clerk Spence, seconded by Supervisor Kacures, and passed. Clerk Spence is to contact Wayne Cymbaluk to assist with the items as noted on the work plan. Supervisor Gondeck will work with Clerk Spence on the transmission of the electronic map of the water outflows to MPCA.
12. Supervisor Gondeck gave the Economic Development report stating that plane service to Chicago will end in April; there is concern about the impact of the drop in oil prices on development activity in North Dakota. Many local employers are having difficulty hiring employees due to results from the drug testing. He also reported that Miles Seppelt resigned from Benton County and went to Elk River as a full-time Economic Development Director. Supervisor Gondeck expressed his concern that Benton County will not replace the position; they are delegating responsibilities to different departments. There is interest in City of Rice for business development since the overpass was put in place. Supervisor Gondeck added that he wants residents to know that there are low interest loans available for installation of septic systems.
13. January special meetings will be on January 20th for Budget and January 27th for Board of Audit. Both meetings will begin at 7pm.
14. Citizen's Issues: Jason Krueger said he has been interested in the organized collection of garbage in Rice and is happy that Watab is not going down that road. John Olson asked about board follow up on snow plowing issues. Supervisor Kacures discussed some complaints he had received during the past month. Supervisor Erdmann checked on the plow blade; the issue causing the problem with ridges being left on the roads is that the blade doesn't stay down on the road because it is too lightweight; it is a MNDOT truck. Supervisor Gondeck road with the plowers and they cleared the roads where there were complaints. 107th Street is very narrow and edges should be marked before the first snow fall. Allen Saldana asked why the agenda item of Nancy Scott's Annual Report had been removed from the agenda and if there were issues. The Clerk and Supervisors spoke about one issue and how it had been resolved. Allen also asked about proposed quiet zones for 105th and 95th Streets, since he believes that train traffic will be stopped in that part of the township with a new crossover being installed. He recommended that the board look into the impact because the engineers sound the horns when they start and stop the trains. Clerk Spence was asked to contact BNSF.

The meeting adjourned.

Respectfully submitted by Clerk Pat Spence