

## **Watab Town Board Meeting Minutes for March 2, 2016**

The Watab Town Board regular meeting was called to order at 7:00 p.m. on Wednesday, March 2, 2016 by Chairman Ed Kacures Jr. All board members were present: Ed Kacures, Lloyd Erdmann, Craig Gondeck, Eileen Saldana, and Pat Spence. Audience members were: Wayne Cymbaluk, Todd Waytashek, Jim Hovda, Jack Brown, Lynn Samler, Jeff Samler, Ed Kirchner, Donna Rothstein, Kevin Reiter, Jason Miller, Travis Hemiller, Jeff Hanson, Scott, Sandra Saldana, Anna Saldana, Don Jarnot, and Scott Jarnot (some names are omitted due to inability to read handwriting).

Following the Pledge to the Flag, the agenda was approved through a motion by Supervisor Gondeck, second by Supervisor Erdmann with the additions of a presentation to the board by Firearms, Inc., Surcharge on Catering, Garbage Issue at 9985 West Lake Road, and Setting a Public Hearing for the Cable Franchise Ordinance. Motion passed. The minutes of the February meeting were approved through a motion by Supervisor Gondeck, second by Supervisor Erdmann, and passed. Treasurer Saldana gave her report of \$438,425.76 in the two township checking accounts; motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to accept her report.

A presentation was made to the town board by Jim Hovda and Jack Brown representing Firearms, Inc. They spoke of the township's support as the location for over ten years of gun safety training at the town hall. Presentation of a plaque was made to the board which states, "Firearms Instruction, Inc. recognizes Watab Township, Benton County, MN for their promotion and encouragement of firearms safety training. The use of their building for many years enabled many citizens to become responsible and safe owners of firearms." The board expressed appreciation for the plaque and for the donation of many tables for the town hall from Jim Hovda and Firearms, Inc.

The payment of claims 5990 through 6003 totaling \$20,905.07 was authorized through a motion by Supervisor Erdmann, second by Supervisor Gondeck, and passed. This includes a replacement check to AllSpec Services for the check mailed to her last month and not received. The board chair requested a report on the spot checking for Balder Appraisal Services work in the township for the past months. Traci Balder's contract ended on February 1<sup>st</sup> and she is not seeking to renew it. The Clerk read a report of findings garnered by spot checking by Supervisors Gondeck and Erdmann and herself. She stated that the township attorney has advised that the township should make the final payment to Traci Balder since a legal battle would be more costly. Supervisor Gondeck expressed his disappointment in paying her since she hadn't done the work. After further discussion, he made a motion that she come to a board meeting and explain her work for the past six months. The motion died for lack of a second. Concerns about her work will be brought forward to the State Board of Assessors.

Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to pay Claims 5990 through 6003 totaling \$20,905.07 and withdraw the funds from the appropriate accounts.

Kevin Reiter expressed that he hopes that Balder Appraisal Services state licensure will be pulled and asked if the DNR is working on oak wilt in the area. Supervisor Gondeck said that he will check with them.

Ed Kirchner asked about the township process to convert an acreage into 10-acre lots. Clerk Spence offered to send him the plat manual and road specifications. The board discussed the importance of having a township road versus a private road service a new development as it affects homeowner's ability to get insurance.

Old Business:

- A. **Runoff into Harris Channel:** Wayne Cymbaluk, Watab's MS4 Consultant was present to advise the board. Supervisor Erdmann showed a slide of how the original creek was filled in Golf Haven Estates. Wayne spoke about the options of a large settling basin, retrofitting of some parcels in Golf Haven and Oak Hill Estates with rain gardens, and using rain barrels to hold back water coming off roofs. He explained that there is a need to slow the water down so that so much sand isn't coming into the Harris Channel. At the Huls dock the water is only a couple of inches deep and there is a large delta of sand that has developed. He advised that the township work with Benton County Soil and Water Conservation District; they could perhaps apply for a grant through the Clean Water Fund to help pay for remedies, The township will also contact the MNDOT office in Brainerd about sand erosion in the Highway 10 right of way being caused by 4-wheeler activity. Slides were shown with the deep trenches that have developed. Supervisor Erdmann expressed that Oak Hill Estates must keep the development water out of the township road ditch on 85<sup>th</sup> Street. Discussion also ensued on the Huls driveway that crosses the ravine. Because of the heavy tree canopy, there is little vegetation to hold back the erosion. Wayne recommends that BCSWCD have their engineer look at the driveway and recommend ways to get more vegetation; some of the area may need to be opened up to get plants to grow. Supervisor Erdmann explained how the owners of Oak Hill Estates had constructed a berm with a pipe to slow down or prevent any water from coming to the Channel. An unknown audience member asked what Benton County regulations are for an acre or more that is used as a dirt bike area; he stated that Stearns County has regulations. The board was also asked to visit with Nikki Blake-Bradley at DNR about possible dredging in the Channel near the Huls to restore the area.
- B. **Contract Renewal for WC Environmental LLC:** Wayne Cymbaluk stated that is current contract expires on May 31<sup>st</sup>. His rates will not change. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to renew the contract for an additional two years.
- C. **Lake Andrew Development:** Owner Scott Jarnot was present. He explained that the original plans for the water and sewer systems were to be operational for sixty-one lots and that the wastewater system needs 14,000 to 15,000 gallons daily to make it operable. He stated that eighty percent of the system is in place. There are currently twenty-two homes in the development, which only creates one-fourth of the flow needed to make it work. In October, he said that the MPCA reissued his wastewater permit for another eighteen months and encouraged him to try to get the system on line. He said he has a good relationship with Herschel at MPCA. Supervisor Erdmann asked him how long the raw sewage had been running into the wetland before the town board was notified by a resident and asked Scott if his pumping records are on file at MPCA. Scott said that he didn't know it was running into the wetland and that all the records are public and on the MPCA website. He said that he needs to be able to sell three to five lots to have the funds to make the needed improvements. When asked about the complaints from residents about water pressure to the MN Department of Health, Scott said that there are only problems in the summer when the lawn sprinklers are turned on. Supervisor Erdmann asked about needed improvements to the streets and told Scott that the township would not accept the streets as town roads until they were in good condition. Scott said he knew he needed to work on the south end. Supervisor Gondeck said

that on February 2<sup>nd</sup>, Jon Groethe from the Dept. of Health told the board that the system that was installed was not to the specifications that they had approved in the initial plan. Donna Rothstein asked about the age of the water system. Scott clarified that there was a new well; the irrigation well has been capped off, and that improvements will be made this spring. Jason Miller asked the board to create an acceptable time frame for improvements so that lots can be sold; he expressed that this is the time that there is interest in the lots and a delay would hurt the development and the realtors and builders. Sandy Saldana told the board that her company does a lot of work in the development and the board should lift the moratorium on building permits. Supervisor Erdmann said that the moratorium was in place, with the support of the MPCA and Department of Health, to protect future buyers and current homeowners from poor infrastructure. He then made a motion that if Scott will give his word that he will resolve the issues with the water and wastewater systems to the satisfaction of the MPCA and MN Department of Health, building permits will be given out. Scott is also to communicate to the township clerk prior to the first of each month in April, May and June the number of lots sold, income, how the money was used to improve the systems, and the pumping reports for the holding tank. If this does not occur, the building permits will again have a moratorium; Scott said he would do so; the motion was seconded by Supervisor Gondeck and passed. The Clerk was asked to draft a written agreement for Scott to sign as soon as possible. Jason Miller asked who to contact to find out when the permits could be issued. Jeff Samler said that he and his wife are eager to build their new home on the lot they purchased last year.

- D. 105<sup>th</sup> Street Speed Study: Supervisor Gondeck said that MNDOT has approved the speed limit to be lowered to 45 mph; he was authorized to order the new signs.
- E. West Lake Road Parking Restrictions: Supervisor Gondeck was advised to wait until the frost is out of the ground to install the additional no parking signs.
- F. Sauk Rapids Fire Contract Meeting: Supervisor Gondeck gave a report on the meeting; he said that Sauk Rapids does not charge people for a false alarm. Supervisor Erdmann made the motion to authorize the Chair to sign the new two-year contract with the Sauk Rapids Fire Department for service to sections 13-36 in the township. Cost is \$35,653 for 2016 and \$39,218 for 2017.
- G. Snow Plowing Update: there have been two calls regarding downed mailboxes. Marsons will take care of them this spring.
- H. Resolution 2016-3: Authorizing the Township to Charge the Owner of Property for Emergency Services Provided to Such Property: Clerk Spence explained that his resolution was prepared by the law firm of Couri and Ruppe in St. Michael in preparation for seeking a change in state law to provide for the collection of unpaid service charges from the owners of the property. Motion was made by Supervisor Erdmann, second by Supervisor Gondeck, and passed to approve this resolution and to authorize the Chair and Clerk to sign it.
- I. Request for Quotes for a New Township Assessor: Clerk Spence presented a draft request for quotes and explained that the county assessor has given her names of qualified persons who might be interested in the position. The board approved the request and a decision will be made at the April meeting.
- J. Township Annual Election and Meeting is next Tuesday, March 8<sup>th</sup>.

- K. Annual Township Newsletter: the board members have received some positive comments about the newsletter articles including Supervisor Erdmann's road article about the need for additional funds.
- L. The board scheduled the Public Hearing for Ordinance 7 on an agreement with Benton Cablevision, Inc. for Tuesday, March 15<sup>th</sup> at 7:00 p.m.
- M. Surcharge on Catering: Supervisor Gondeck said that Mark Larson had told him that many venues have the caterers charge an extra 15% to their customers, which is then passed on the owners of the location of the catering. This would help defray extra cleaning costs and garbage removal. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann and passed to enact a future 15% catering surcharge. The township will need to send letters to caterers advising them of this.

#### New Business

- A. MS4 Training: Supervisor Gondeck said that emphasis is keeping all stormwater on site with no runoff; he asked to have the board research if our current MS4 ordinance allows stop work orders if a site is not in compliance.
- B. SCORE Grants: Supervisor Gondeck said that the township's SCORE grants have been approved: \$15,000 for Cleanup Day and \$2,900 for Adopt a Highway.
- C. Clerk Spence presented highlights of the 2015 Central Minnesota Water Education Alliance Report.
- D. Board of Canvass of the Annual Election was set to follow the Annual Meeting through a motion by Supervisor Erdmann and second by Supervisor Gondeck; motion passed.
- E. Planning for the 2016 Bi-Annual Pollution Prevention Award was tabled until the April meeting.
- F. Supervisor Gondeck reported on the Economic Development Board meeting in Rice. They will be sending a letter to Representative Newberger supporting Watab's initiative for acceleration lanes and overpasses. Clerk Spence was asked to send a letter to Barb Welty, MAT District Officer, asking about MNDOT's study of Highway 10 through Watab after the Rice overpass was installed. Supervisor Erdmann reported on the meeting DNR held on the proposed drawdown of Little Rock Lake and the Mississippi River. Supervisor Gondeck brought up a complaint about garbage accumulation at a home on West Lake Road; all the garbage bags are being dumped in a swimming pool; Supervisor Gondeck will work with Benton County Department of Development on getting it resolved. He added that Lisa Platz did not comply with the Benton County deadline to remove the hazardous waste from her property on Plaziak Road. Benton County will be pursuing this through legal action.
- G. The board members discussed the March work plan and extra meetings. Supervisor Gondeck will be attending an MS4 Certification Training in Brainerd. Four board members will attend the MAT Training in St. Cloud at the Holiday Inn on March 22<sup>nd</sup>.
- H. Rice Mayor, Dale Rogholt, will attend the May board meeting.
- I. Kevin Reiter reported the high speed to garbage trucks coming through his neighborhood; Sandy Saldana said that the Assessor came to their home after Christmas; Todd Waytashek said that a hole is developing at the intersection of County Road 33 and Fifth Avenue; the garbage truck is turning to sharp and created the hole. Supervisor Gondeck will follow up with Allied Waste about this.

The meeting adjourned at 9:50 p.m.

Respectfully submitted by Clerk Pat Spence