

Watab Township Meeting Minutes of October 3, 2017

The regular monthly meeting of the Watab Town Board was called to order at 7:00 p.m. by Chair Craig Gondeck at the Watab Town Hall on Tuesday, October 3, 2017. Board members present were Supervisors Todd Waytashek, Craig Gondeck, Lloyd Erdmann, Treasurer Maureen Graber, and Clerk Pat Spence. Audience members were Jim Dahl, Bob Raveling, Jon Bogart, Janet Schlichting, Doug Harden, Jerry Kostreba, Amber Schoenherr, Doug Haarstad, Nancy Haarstad, John Haarstad, Shelby Haarstad, John Olson, and Kevin Reiter. Following the Pledge, motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed to approve the agenda. The Chair introduced Amber Schoenherr, who was present for the meeting as part of a leadership program.

Jim Dahl presented his request for Township Consent of the On-Sale and Sunday Liquor License for Oak Hill Golf Course. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to recommend approval to Benton County. A motion was made by Supervisor Waytashek, second by Supervisor Gondeck, and passed to approve the meeting minutes for September 5th and 19th. The Treasurer's Report was given with a bank balance of \$670,194.89; Supervisor Gondeck thanked the Clerk and Treasurer for the extra work they are doing and made a motion to accept the report. It was seconded by Supervisor Waytashek, and passed. Approval to pay monthly claims #6512-6541 and electronic transfers for PERA and IRS totaling \$30,832.86 and to withdraw the money from the appropriate funds was made through a motion by Supervisor Erdmann, second by Supervisor Gondeck, and passed.

Citizen's Input: Bob McManus had requested to have Riverview Loop residents on the agenda with complaints about property owned by Doug Haarsted. Bob was not present, but Doug Haarstad addressed the board stating that there have been numerous complaints about his property from his next-door neighbors. He owns Riverside Concrete and parks some of the vehicles at this property. He has no employees working from his home. Supervisor Erdmann said that it is a non-issue for the township. Supervisor Waytashek said that the town board had complaints from a neighbor in June, and he has been driving by the property nearly every day. He has not seen any problems. John Haarstad spoke about his previous ownership of the property. Janet Schlichting informed the board that she lives nearby and feels that the issues are personal. Benton County has reviewed the complaints from the next-door neighbors and finds that the Haarstad's follow the Development Code regulations.

Old Business included:

- A. There will be a meeting regarding drainage for the 95th Street project with the supervisors and DNR at the DNR landing on October 10th at 10am.
- B. Grace Apartments: Clerk Spence updated the board on communications from Benton County and her phone conversation with Nicki Blake-Bradley, Hydrologist for DNR in Sauk Rapids. Supervisor Waytashek made the motion for the township to recommend denial of the variance to build a home on each of the two sub-standard lots due to the environmentally sensitive location in the Stormwater Management District and 100-year flood plain. The board said there is no reason that Roxanne Achman should be reversing her position that homes cannot be built on sub-standard lots. The motion was seconded by Supervisor Gondeck and passed. Supervisor Gondeck discussed the trespassing notice against him and asked to have it lifted so that he will be able to do the Land Disturbance Permit inspections when needed. After discussion, motion was made by Supervisor Erdmann, second by Supervisor Waytashek, and passed to request that it be lifted at the time that Michael Nwachukwu receives a Land Use Permit from Benton County.
- C. Tree Trimming will need to be completed by the board in October.
- D. Street Lights in Ferry Point Right of Way: Supervisor Gondeck explained that it appears there is a jog in the road on the Beacon maps, but that may not be correct. This issue was tabled until further information can be obtained.
- E. Garbage Issue in Highview Terrace: Supervisor Gondeck took the pictures of the garbage pile at the residence to the Dept. of Development and was told by Roxanne that he didn't have written permission to go on the property. He explained that for health and safety issues, township officials do not need permission to enter the property. However, he went ahead and got the written permission and will present it to her again next Monday.
- F. Septic Issue on Lakewood Shore Rd: smelly septic overflowing with several complaints from the neighborhood. Roxanne Achman told Supervisor Gondeck that Dept. of Development staff can't go on the property without a search warrant. Supervisor Erdmann said that part of the county's permit for a septic system states that the county can go on the property to inspect at any time.

- G. Clean Up Day Report: Supervisor Gondeck said that there was a record turnout. He had a call at 6:00 a.m. from a Benton County deputy saying that people were already lining up. Costs will be higher than anticipated due to the large response. After bills come in, the township may request additional SCORE funds.
- H. 85th Junk Car Complaint: Supervisor Gondeck passed it on to Dept. of Development. They sent a letter and stated that is all they will be doing on the issue.
- I. Sharing in State Criminal Fines: Clerk Spence reported that she contacted the Department of Public Services requesting the OIR number. To receive it and be able to share in the fines generated from illegal activity that takes place in the township, the board needs to adopt a resolution authorizing entering a Joint Powers Agreement with the County Attorney. Motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed to adopt Resolution 2017-16. The town board also needs to authorize and sign a Joint Powers Agreement with the State of Minnesota and an Amendment. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to authorize the agreements and submit them.
- J. Second access to Oak Hill Estates: Supervisor Gondeck, Clerk Spence, and Lee and Craig Hanson met with Claudia Dumont and Mark Rens at MNDOT; she was not aware of any state funding but will contact the Baxter office regarding this.

New Business:

- A. Jon Bogart represented the Cove Development requesting an agreement with the township regarding The Cove's sewage system. Currently, they are using a holding tank with daily pumping. It is timely to go ahead with their own more permanent system. They have been working with the MPCA to find a way to build a smaller system for the first phase. Cove has three phases. MPCA has no way of regulating the number of building permits for a phase. In Jon's conversations with the MPCA, they asked whether the township would work with them to monitor the number of building permits that the Cove would be allowed to get. The first phase would be to handle 16,000 gallons per day (225 gallons per day per house). When permits reach 90% of the first phase flow, no more permits would be issued. Supervisor Gondeck said our goal is to spur development and he is 100% in favor. Phase two would be another 16,000 gallons. A motion was made by Supervisor Erdmann, second by Supervisor Gondeck, and passed to have Jon draft an agreement for the township to monitor the number of building permits issued in The Cove to facilitate the MPCA approval of phasing.
- B. Resolution 2017-14: Authorization to Write Off Certain Unpaid Emergency Calls: Motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed to write off \$3,958.04 in uncollectible Rice first responder medical calls. Treasurer Graber explained the process trying to collect these. There was further discussion about repeat users that aren't paying. One party owes nearly \$2,000 for calls between December 2016 and July 2017.
- C. Resolution 2017-15: Authorization Benton County Assessment: Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to authorize collection of five unpaid calls for Fire District one totaling \$\$1,406.98 and one unpaid call for Fire District two totaling \$298.36 to Benton County property tax assessments for 2018. They were all sent final notices with the instruction that the unpaid amounts would be assessed.
- D. BNSF has billed the township for 32 railroad ties at the Lakewood Shore Crossing. Clerk Spence has provided them with proof that all these were paid for in 2014. BNSF states that they didn't install all of them, so BNSF owes the township money. We will wait for their response.
- E. Letter to Benton County Commissioners: the board discussed the draft of a letter to go to the commissioners and county administrator on the difficulty in working with the Department of Development on The Grace Apartments. The board feels that the township should not have had to intervene with high legal costs to stop the placement of a mobile home park in the Shoreland Overlay District on Roseanna Beach Road. Roxanne Achman and Michelle Meyer should be interpreting the county development code without the assistance of the township attorney. The board also expressed concern about the amount of conditional use permits that are being issued. There is rarely one that is denied. Motion was made by Supervisor Erdmann, second by Supervisor Waytashek, and passed to have the entire board sign and send the letter.
- F. Annual Road Certification. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to send the annual road certification to Benton County Highway Department with the addition of one mile to 5th Avenue NE for the section that was recently recorded.
- G. The board reviewed the Benton County Market Value Report for spring 2016 to spring 2017. Watab Township had \$7,619,500 Estimated Market Value of new construction. The county total was \$46,819,200 (Foley:

\$1,938,500, Rice: \$585,400, St. Cloud: \$3,115,500, Sartell: \$498,400, Sauk Rapids: \$16,396,700; Royalton: \$1,809,200.

- H. The October 10th Emergency Services Committee will be postponed to October 17th at 6:30 p.m.
- I. Communications: Clerk Spence read items received during the month.
- J. Board Reports: Supervisor Gondeck made a motion to support the interim use permit for Wollak Construction's mining operation; the motion died for lack of a second. The other supervisors did not feel they had enough information on current practices. The speed study on County Rd 13 between Sucker Creek Road and U. S. Highway 10 denied lowering the speed limit; MNDOT's argument was that people are already slowing down for Highway 10. We had asked to have it lowered to 45mph. Supervisor Gondeck gave an update on the MAT L & R meeting that he attended. He met with Jim Fisher about fire equipment; Jim said that there is lots of used equipment available at very low costs. He advises Watab to start simply. A high priority for MAT will be to lobby for committed transportation dollars. Supervisor Gondeck attended the Rice Park Board meeting earlier tonight. He suggested that we send a letter to the county board that we want to start our own park department. Clerk Spence explained the status of the subdivision ordinance that would allow us to set up our own park dedication fees; it has been stalled on Michelle Meyer's desk in the county attorney's office for months. She told Mike Couri that the ordinance isn't necessary, because the commissioners are prepared to give the park dedication money back to the townships where they originated. We need to find out if this is true. Supervisor Erdmann asked about the status of the Potlatch proposal to Benton County to remove the non-native trees in Bend in the River Park on the east side of River Road. Commissioner Ed Popp has said that it was denied. Brush and tree trimming need to be completed during October. Supervisor Gondeck is to invite Al Keller to the October 19th Emergency Services committee meeting; Supervisor Waytashek has contacted Negen Architects for projected costs for a structural steel and concrete fire hall. Supervisor Gondeck thanked Supervisor Erdmann for the excellent work in the Cove Development with MS4 issues. Chuck Ertl gave a brief update on ditch mowing.

The meeting adjourned at 8:45 p.m.

Respectfully submitted by Clerk Pat Spence