

**Watab Public Hearing**  
**August 4, 2009**  
**7:00 P.M.**

The Watab Town Board Chair, Ed Kacures Jr., called the Public Hearing to order to Consider Amendments to Ordinance 4: Regulating Town Road Right of Ways. Following the Pledge to the Flag, the Clerk reviewed the addition to the ordinance, which requires utility trenching on future road projects . The Chair called for those who wish to speak in favor of the Ordinance.

Craig Gondeck, 9575 Sucker Creek Road, spoke as a citizen: A couple of years ago this issue came up at a MAT conference as a good process so that we know where all the utilities are located. Right now we have "spaghetti" with some of our township utilities. He is 100% in favor of the addition to the ordinance.

Lloyd Erdmann, 10200 Sucker Creek Rd NE, spoke as a citizen and owner of a construction business: If utilities are put in one trench, when road work is done in the future, the contractors will know where the utilities are located. It is a very good thing to do.

Perna Roers, 8555 Ivy Place NW, works for tree service: It is difficult for the business because it is difficult to find all the utilities when removing tree stumps, etc. She has lived in her home for over 25 years, and when Xcel Energy came in they couldn't find "any rhyme or reason" to the utilities. She is very much in favor of the ordinance.

Doug Boser, 142 75<sup>th</sup> Ave NE: gave two recommendations. Perhaps we should stipulate depths in the ordinance and then require as-built drawings when the project is completed. The plans may be different than the actual work completed. We can remember the gas explosion in St. Cloud where the lines were not where they showed on the drawing.

The Chair called three times for further citizens to speak in favor and then moved to calling on those who wished to speak in opposition..

Brian Erdmann, 10100 Sucker Creek Rd NE, said that he is not really opposed, but he asked for clarification on placement of water lines. He is opposed to running water in the same line as the other utilities. Supervisor Erdmann asked Jon Bogart for clarification. He is in favor of all other utilities in one trench, but not water and sewer. He added that small utilities should be about five feet off the right of way; water and sewer should be separated.

After the Chair called for more citizens who wished to speak in opposition, and no one spoke, the Chair closed the public comment part of the hearing. Supervisor Erdmann recommended striking the word water from the utility list and adding another paragraph stating that generally sanitary sewer should be installed at the center line of the street and water main should be installed approximately 10 feet to the right or left of the sewer line. It must be inside the curb line. Also add: As built prints must be provided to the township at the conclusion of the construction project. Supervisor Gondeck made a motion to approve the amendments to the ordinance with the above additions and changes; Supervisor Erdmann made a second; and the motion passed to approve the amendment to Ordinance 4. A motion was made by Supervisor Kacures, seconded by Supervisor Gondeck, and passed closing the Public Hearing.

**Watab Town Board Meeting Minutes**  
**August 4, 2009**

Supervisor Ed Kacures called the August Town Board Meeting to Order immediately following the Public Hearing on amendments to Ordinance 4. Supervisor Craig Gondeck gave sympathy to Perna Roers on the death of her husband and wished a happy birthday to Supervisor Erdmann, whose birthday is August 4<sup>th</sup>. Those in attendance at the meeting were Maureen Graber, Perna Roers, Douglas J. Boser, Paul Schwinghammer, Jason Zwilling, Allen Saldana, John Thompson, Jason Ferche, Kevin Reiter, Sandra Saldana, Mary Cripe, Jon Bogart, and Brian Erdmann. A motion was made by Supervisor Gondeck, seconded by Supervisor Kacures and passed to approve the agenda with no changes or additions. The minutes of the July Meeting were approved with Supervisor Gondeck noting that the bank loan at Falcon National Bank would be for 18 years with the interest rate at 4.5% for the first 10 years and then renegotiated. A motion was made by Supervisor Gondeck, seconded by Supervisor Erdmann, and passed approving the minutes.

The Treasurer's Report was given by Eileen Saldana. She reported a balance of \$287,793.22 in checking; claims totaling \$12,964.39; payroll totaling \$2,337.59. She asked the board to authorize the transfer of \$28,376.04 from the interest fund to the general fund, which has a negative balance of \$4,941.48. A motion was made by Supervisor Gondeck, seconded by Supervisor Kacures and passed unanimously to transfer the funds as recommended. A motion was made by Supervisor Gondeck, seconded by Supervisor Kacures, and passed approving the Treasurer's Report. Clerk Pat Spence recommended transferring some of our current funds in checking from Bremer Bank to Falcon National Bank. The board agreed.

**Citizen's Issues:**

1. Maureen Graber asked about financing road projects more than 5<sup>th</sup> Avenue. The board updated her on the decision made at last month's meeting to finance all three long-term projects since the bid was so low on Fifth Avenue.
2. Perna Roers asked about Ivy Place road construction. She gets lots of rain runoff that floods her yard; this has happened many times. She has added a berm, but it's not preventing the runoff from the town road since it was tarred. Supervisor Gondeck suggested going to look at it with Jon Bogart and Paul Schwinghammer to come up with a remedy. He will come back to the next meeting with a recommendation.

Motion was made by Supervisor Gondeck and seconded by Supervisor Kacures to pay the monthly bills and to withdraw the funds from the appropriate accounts. Motion passed.

**Old Business:**

1. Crack Filling Report on Plaziak and Saldana Roads: Jon Bogart looked at these roads with Astech contractor. Rubber has filled in the voids; the cracks are sealed, and the job is adequate. In the future he recommends that we do crack filling on our roads before they get so cracked.
2. Bid opening on Roseanna Beach project: Knife River-\$107,645.00; Rice Contracting and Development-\$105,465.00; J & J Contracting-\$95,996.58; Burski Excavating-\$100,398.50; and J. R. Ferche Inc. \$121,144.50. Jon Bogart reviewed the bids and bid bonds and stated that all have bid bonds or certified cashier checks for 5% of the project. Supervisor Kacures thanked all those who bid. Supervisor Gondeck made a motion to award the project to J & J Contracting, the low

bidder, if all paperwork is in order. The motion was seconded by Supervisor Kacures and passed. No easements are needed. We still need approval from Fisheries Division of DNR.

3. Three quotes were received for rebuilding Riverview Loop NW: Harddrives, Inc.-\$40,189.15; Tri-City Paving-\$44,350.00; Knife River-\$43,035.90. This is a reclamation project. The Chair informed the board that County Road 55 will not be done this fall. Supervisor Erdmann said that we have good bids and should award the project to the low bidder of Harddrives, Inc. based on review by Jon Bogart. Motion was seconded by Supervisor Gondeck and passed.
4. Two quotes were received for Chip Sealing for town roads: Pearson Brothers: Part A for all roads that were crack filled last year-\$52,076.00 and Part B: all roads crack filled last year and this year-\$81,807.76. Astech Part A-\$46,293.59 and Part B-\$75,617.00. Supervisor Erdmann made a motion to accept Part B of Astech's quote based on Jon's approval; motion was seconded by Supervisor Gondeck, and motion passed. Work will start in two weeks. The roads will be swept before they are sealed. Some patching needs to be done first. Supervisor Gondeck was given authority to work with Allen Saldana on doing the road patching.
5. Temporary Easement Report on Fifth Avenue Project and Fifth Avenue Pre-Construction Meeting for August 5<sup>th</sup>. Supervisor Gondeck has three easements outstanding that need to be picked up. Allen Johnson's will be modified and signed.
6. Sign Replacement: need 30mph sign for Plaziak Road; all others are done. Allen Saldana asked about 911 signage if it gets hit. Signs can be purchased from the county for \$35. They are required and are the responsibility of the homeowner. It is important to take down old fire numbers (red signs). This should be in the next newsletter. There was a question about how ambulances find addresses. Mary Cripe said that she observes the ambulance going to the wrong side of Highway 10. Supervisor Gondeck will follow up with the sheriff's office and Bill Mayland at Benton County. We also need signage to divide Sucker Creek Road Northeast from Northwest. Dead end signs are being replaced with "No Outlet."
7. Iron Filter Installation: Supervisor Kacures reported that he and Supervisor Gondeck looked at the plumbing and decided he couldn't handle the installation because of the way the plumbing had been installed. Kiffmeyer said that some of the plumbing needs to be redone. If Ed purchased the valves, Kiffmeyer will do the work for \$310. Putting in the iron filter will save the water softener. He is concerned about how hard the water is. Supervisor Gondeck made a motion to hire Kiffmeyer Plumbing to install the iron filter; motion was seconded by Supervisor Kacures and passed.
8. Culvert Report: Supervisor Erdmann said that he hasn't patched West Lake Road because he is waiting for other bituminous work in the area, but since there is none, he will probably do it this week. In the future there is a culvert needing to be fixed on West Lake Road, but it doesn't need to be done now.
9. Township Map Update: Supervisor Gondeck provided a map and asked the Clerk to make the town roads brighter with a marker. There are insets for some of the smaller roads.
10. Payment of Donations: Clerk Spence reported that they were made after the last meeting to Little Rock Lake Association, Tri-County Humane Society, and to Rice Recreation.
11. Request for Rice Fire Bill: Clerk sent a letter to City asking for a bill. Just received one for \$17,771.50 for the first half of the 2009 contract, which is based on budget amounts, not actual costs, as stated in the contract. Supervisor Kacures also contacted the City Clerk and she said that the City was still hashing out the letter. We also received a notice of a Fire Board meeting for August 5<sup>th</sup> at 5pm. Today we received a notice that the meeting is rescheduled for August 12<sup>th</sup> at 5pm. Supervisor Gondeck will not attend the meeting; he said that it is very unfortunate that the Mayor of Rice singles him out publicly at a meeting for being the problem behind the fire issues and wishes that the Mayor would come and talk with him personally. Sandy Saldana

said that the issue is cut and dried ; we should just give them the check for the appropriate amount of \$15,021.45, and tell Rice that is the amount that follows the contract. Supervisor Gondeck asked that Maureen Graber go with Supervisor Kacures to represent the township. Supervisor Erdmann said that he is holding out hopes that they are going to say they made a mistake and want to correct it. Doug Boser said that we should send the \$15,021.45 check by certified mail, follow the contract, and not go to the meeting. We should not engage in a fight. Supervisor Erdmann made a motion to send the check for \$15,021.45 for the first half of the Rice Fire Contract by certified mail to the City Clerk; motion was seconded by Supervisor Gondeck; motion passed.

12. Clerk gave a report on the loan documents. Motion was made by Supervisor Gondeck, seconded by Supervisor Kacures to pass Resolution 2009-7 authorizing the bank loan and signatures as stated in the resolution. Supervisor Gondeck praised the Clerk for her knowledge in the meeting with the bank officers and Lee Hanson. Maureen Graber praised the board on the good work with all the road projects and the financing, and the audience applauded.
13. Stormwater Pond Trail: thank you was extended to Supervisor Lloyd Erdmann for donating wood chips and Allen Saldana for spreading them at no cost to the township. Maureen said that she might add signs to identify the wildflowers.

#### New Business:

1. The Clerk reported that the township has been unallotted \$5,552.00 in state payments for 2009; our net payment will be \$10,454.54.
2. Tree trimming on road right-of-ways: Supervisor Gondeck said that it's much needed. Brian Erdmann will do some as he mows along the roads; Supervisor Gondeck has been doing some; STS crews are also assisting. We need to make the roads safe for school buses and other large vehicles.
3. Supervisor Reports:
  - a. Supervisor Gondeck reported on the Benton County Development Board meeting: Claudia Dumont from MNDot spoke. Nothing is projected to be done in Watab Township for the immediate future. He also learned about some grant opportunities.
  - b. Gravel Tax Report: Supervisor Gondeck received a call from a resident about gravel tax receipts. He complimented Saldana Excavating and Ray Thompson for their reporting. Craig met with the Bill Mayland. Joan Neyssen said that gravel reports are on the honor system. The township is losing a lot of money from one party not paying any gravel tax. The Clerk was asked by the board to send a letter to the County Commissioners asking that we get gravel tax from Wollak Construction for all the gravel that's been taken and not reported. Aerial photos have been taken annually. Supervisor Kacures made a motion for the Clerk to send a letter to the Benton County Commissioners reporting this. Wollak Construction's conditional use permit has recently been renewed. He last reported gravel tax in 2005. Motion was seconded by Supervisor Gondeck and passed. Points in the letter should include: Wollak Construction is not reporting and paying; Joan Neyssen said it's on the honor system but according to the new ordinance of the Benton County Development Code the report is required.
  - c. Rice Fire Board: already covered.
  - d. Tree Trimming on Frost Road: not completed but Supervisor Erdman will do it. Bob Behrendt gave permission to trim the birch tree near their property.
  - e. MAT Short Course: Supervisor Gondeck learned that we shouldn't collect road tax or snow plow roads that we haven't officially taken over yet. We shouldn't take over the road or collect the tax until the final wear course is on the road; otherwise the township

could be liable to put on the final wear course. Board should think about this because Marty Reker has asked to have the township plow Paradise Plat. This was tabled until the September meeting. Supervisor Kacures said that CTAS is coming up with an update. Township roads should be posted for tonnage. If not posted, they are automatically 5-ton roads. There's a new mandate coming to have a sign inventory study on reflectivity of town signs. He found a new software program for recording all the signs in the township; keep a good inventory. Write them down on the next road tour.

- f. Supervisor Issues: Watab Clean Up Day is September 26<sup>th</sup> for non-hazardous waste. Adopt a Highway 9 new signs ordered and paid for through SCORE grant.
- g. Complaint forms: Supervisor Gondeck, the clerk and Supervisor Erdmann covered citizen complaints received during the month.
- h. Doug Boser talked about the snow plowing contract. We should add a fee per linear feet if we add roads. He asked about turn lanes into Lake Andrew. Scott Jarnot wants to know how much it will cost. Supervisor Erdmann said he also needs to pay for moving his sign, moving his berm and the turn lanes. The engineer said that is part of the plan. He then addressed performance bonds and lien wavers on projects. All our contracts should have performance bonds. Anything over \$25,000 the state is requiring performance bonds. Put on agenda for next month—prepare a resolution.

The meeting was adjourned.

Respectfully submitted by Clerk Pat Spence