

## **Watab Town Board Meeting Minutes June 6, 2006**

The monthly meeting of the Watab Town Board was called to order at 7pm by Chair Craig Gondeck. Other board members present were Supervisor Brad McIntosh, Supervisor Lloyd Erdmann, Clerk Pat Spence, and Treasurer Eileen Saldana. Other residents/visitors present were: Lloyd Hammerel, Carol J. Schmitt, Rosie Johnson, Rick Schaefer, Douglas J. Boser, Bradley Vaillancourt, Earl Harden, Walter Jansen, George Mastey, Taunya Molski, Ed Kacures, Robert A Behrendt, Jane Behrendt, Marilyn C. Popp, Peter Kedrowski, Michelle Johnson, Sam Harms, and Geno Beniek. Following the Pledge of Allegiance to the Flag the following additions were made to the agenda: approval of May 3 Board of Equalization minutes, Fire Call report, website use report, and a complaint on the Jarnot project.

Supervisor Erdmann made a motion to approve the minutes of the May 2 regular board meeting, May 3 Board of Equalization meeting, and special meetings of May 8 and May 23. The motion was seconded by Supervisor McIntosh and passed.

The Treasurer reported the May financial report with a cash balance of \$419,701.24. On a motion by Supervisor McIntosh and second by Supervisor Erdmann, the report was approved. The balance does not include investments.

### **Citizen Issues:**

1. Expansion of storage business by Bob & Jane Behrendt: They would like to expand the county-approved storage facilities on their property on Frost Road as planned in 1999. They want to phase in the expansion plan over 15 years and will build as demand exists. One more driveway will be needed onto Frost Road. Bob provided documentation of approval to fill from the Department of the Army. The storage units will be in an association and may be rented or purchased. As they develop the next phases, there will be a holding pond installed. The next phase will be adjacent to the railroad tracks. Lloyd has looked at the driveway location and it is a good place; he feels it is well planned and he moved that the township give its approval. Craig also has reviewed the site and seconded the motion on the condition that the Sauk Rapids Fire Marshall approves the roads. Lloyd asked how much roadway will be built now. They will build the road through the wetland now and provide for a turnaround at Lloyd's request. Bob will contact Jason Fleming, Sauk Rapids Fire Department for review. The motion passed. Craig will take copy of the approval to the county commissioner meeting when this issue is taken up. Ron Hommerding asked if more than one acre will be disturbed. Bob will check on MPCA guidelines for stormwater runoff on the project.

2. Request to place water line for Cove in Jasmine Loop right-of-way by Rick Schaefer: They would like to run the main water line from Lee Hanson's development to the Cove project through the Jasmine Loop ditch. Supervisor McIntost asked what Rick would do if someone else wanted to hook up to it, and Rick responded that this is a main line and cannot be accessed. He will not disturb the road. Rick showed the town board a plan, and stated that the Cove will pay for legal fees to have the township attorney draw up an agreement and determine the legality of running the line. Supervisor Gondeck and Rick Schaefer will meet with our attorney. Supervisor Erdmann wants a bond for \$25,000 to guarantee the ditches are restored. Consideration of final approval will be on the agenda for next month's board meeting.
3. Doug Boser, 7135 5<sup>th</sup> Ave NE, brought pictures of a semi truck parked on the wrong side of Fifth Avenue. Construction is underway at Lake Andrew Plat, and he stated that construction safety is not being observed. There needs to be signage to warn people. Supervisor McIntosh said that he will talk with Scott Jarrot and asked that an addition be made to the developer agreement that safety precautions are taken. He added that the sheriff should be called if there is a vehicle parked on the wrong side of the road. All agreed that there should be safety signs. Craig will notify the general contractor that one of his contractors was parking on the wrong side of the road. Supervisor Erdman said he also received a citizen complaint that there is a dust problem. Marilyn C. Popp was present and spoke about the high level of the dust. Brian Erdmann is doing the dirt work. Supervisor Gondeck will talk to them about common courtesy and communicating with the neighbors. Another solution is wetting the area.

Following review of all the bills, authorization to pay the bills and withdraw the necessary funds was passed on a motion by Supervisor Erdmann and second by Supervisor Gondeck. During review of the bills, Supervisor Erdmann asked the audience if they had any recommendations on roads to overlay this summer. There was no response. The Clerk stated there had been a written request from Sanbur Trail residents for an overlay.

#### Old Business:

1. The board considered a fuel adjustment for snowplowing, which was requested by George Mastey. On advice from our attorney, the board stated that there cannot be an adjustment, because there was not a fuel surcharge in the contract. Craig will get a written statement of this advice from the attorney and provide it to Mr. Mastey.
2. Supervisor Erdmann was asked last month to write a definition of his definition of community sewer treatment since Benton County was talking about dropping the requirement for community sewer treatment in plats for five or more homes. His definition is: *A central sewer system is a sewage collection and treatment system in which all sewage from the lots within*

*the proposed plat is conveyed to one central location within the plat. The treatment system is designed and built in such a way as to treat the wastewater to the standards set by the Minnesota Pollution Control Agency at the time the preliminary plat is presented to the town board for approval.* Mr. Harms spoke in opposition to the township getting involved with regulating community sewer. Rick Schaefer said you need to consider the size of the lots. Supervisor Erdmann proposes that an ordinance be developed where the homeowners association within the plat would be responsible for the maintenance of the system. The Clerk recommended inviting a resource speaker to talk to the board about a process for water preservation in the township. Supervisor Gondeck moved to table the issue until next month.

3. Resolution 2006-3: Plat Policy is not complete until we receive the drawings of the road specifications from Bob Erickson.
4. Town Hall Building Approval: Ron Hommerding showed the board a revised plan for a 3,150 square foot town hall with 10 voting booths, a small office for a conference room; one large office with copy machine and file space, meeting space for 120 people, and a storage room for equipment. The hall is designed for expansion and has steel siding with brick trim. The surveying of the property will be done next week. The Chair called a special meeting on June 20<sup>th</sup> at 7pm to finalize the plans. The Clerk asked to have the voting booths in the meeting space rather than the lobby. Supervisor Erdmann asked to have the windows on the south side of the building facing the trees rather than the road. Doug Boser suggested insulated concrete for energy conservation. He was encouraged to come to the June 20<sup>th</sup> meeting and to bring other contractors who reside in the township.

#### New Business:

1. A new Snowplowing Contract was considered. The Chair asked the board how it would like to request bids. Supervisor Erdmann suggested that we request quotes on snowplowing by the hour, and that the salt/sand mixture that the contractor purchases and stores at his location be paid for as it is put on the road. Supervisor Gondeck repeated that the contractor needs to purchase the salt/sand mix and charge the township as it is applied to relieve the township of pollution liability. Supervisor Gondeck said that there are other contractors who want to bid for the job and he wants them to have a chance to bid. Supervisor McIntosh also felt that to be fair we need to be open to other bids adding that George Mastey has done a great job. The board decided to ask for quotes rather than bids so they don't have to take the lowest bid. The clerk asked what criteria the board would like to consider for awarding the contract and that these should be stated in the document. The board determined these criteria: past experience, dependability, ease of dealing with people, list of adequate

equipment, response time, damage experience, insurance listed in contract, and other contracts that they hold. The board discussed what would constitute uncontrollable circumstances. After considerable discussion, Supervisor McIntosh moved that this be tabled until the June 20<sup>th</sup> meeting. Supervisor Erdmann recommended that the language on liquidated damages be removed. The board also will allow for a change order for fuel increases. Ron Hommerding recommended a liquidated damages charge and a bonus. He suggested the board could write time-extension change orders if there were good reasons for a delay in service. He felt the board should write a performance contract and have our attorney look at it. Supervisor Erdmann seconded the motion to table and this will be added to the June 20<sup>th</sup> agenda.

2. Park Department update and consideration of Resolution 2006-8: Supervisor McIntosh moved to table this until next month; motion was seconded by Supervisor Gondeck. Supervisor Erdmann asked if we could pass the resolution with the addition that we intend to start collecting the \$600 park dedication fee to be used in the plats where the fee is generated and for interconnecting trailways. Supervisor McIntosh withdrew his motion and Supervisor Gondeck withdrew the second. Supervisor Erdmann moved to adopt the Resolution 2006-8 with the addition stated above and that 25% of the fee, when a cash fee is collected, would be given to Benton County for the county parks. If no fee is collected, there would be no payment to the county. Supervisor McIntosh seconded the motion and Resolution 2006-8 was adopted. The Clerk will prepare the revised document for the Chair to present to Benton County.
3. Ordinance #3: Emergency Services Ordinance was passed to bring to a public hearing on July 11<sup>th</sup> at 7pm on motion by Supervisor Craig Gondeck and second by Supervisor McIntosh.
4. Summer road work: Saldana Excavating will do road patching. Supervisor Erdmann suggested that Sanbur Trail be sealcoated. Geno Beniek, resident of Sanbur Trail, stated that it is a historic trail and it is cracking up. Residents would like the cracks repaired and a sealcoat completed. Supervisor Erdmann moved that the Chair get quotes on it. Supervisor McIntosh also asked the Chair to get quotes on 5<sup>th</sup> Avenue repairs, the pothole by Twin Pines, Saldana Road, etc. The Chair will advise those giving quotes to follow MNDOT specifications for a granite chip overlay.
5. The Weed tour is June 27<sup>th</sup> at 9am. The Chair will represent the township.
6. Rice Fire Board report: The Chair reported on the May 8<sup>th</sup> meeting called by Mayor Nancy Anderson regarding our request for an audit. The Rice Fire Chief reported at that meeting that there is a fourth fund for the fire

department called the Secretary/Treasurer's Fund; this fund is not a legally authorized or reported fund. It was not audited as part of the City audit. Two Rice firemen were present at the meeting and said, "We're not doing anything wrong. We've had this slush fund for fifty years and everyone knows about it. We raise the money for it." When Craig said that the Mayor and City Clerk were not aware of the fund at the May 8<sup>th</sup> meeting, one of the firemen said, "The Mayor is lying." The Chair stated that he did not believe they were aware of the fund and assured the firemen that we have no problem with the work of the firemen, but we do have issues with the budget process and the 12% contract increase for 2006, without following the stipulations called for in our contract. The Clerk was asked to draft a letter to Mark Kerr, State Auditor's Office, updating him on our communications with Rice and the audit request.

7. The Clerk reported that she spoke with Bob Pazdernik and he believes that he has one year left on his contract. Both his contract and the proposal from Traci Balder include the 2007 assessment year. Consideration of a new Assessor Contract tabled until next month and the Chair will look into it.
8. Other items of business were tabled until the July 11<sup>th</sup> meeting.

The meeting adjourned at 10:20pm.

Respectfully submitted by Pat Spence, Clerk