

Minutes of Special Town Board Meeting on April 24, 2017

The Watab Town Board met at 8:00 a.m. on Monday, April 24, 2017 for discussion the BNSF proposal for cost sharing of the 95th Street Railroad Crossing and information received from MNDOT regarding a potential frontage road between Indian Road and 85th Street NE. All board members were present: Chair Craig Gondeck; Supervisors Lloyd Erdmann and Todd Waytashek; Treasurer Maureen Graber; and Clerk Pat Spence.

In December 2016, the township applied for the Quiet Zone Establishment to BNSF. Approval was granted on February 7, 2017. On April 12, Clerk Spence received an email from Richard Scott, BNSF Manager stating: "It has been some time since we met. I hope you are doing well! Following up on the proposed Quiet Zone, I am passing along an agreement to replace and extend the crossing surface at Saldana Road in connection with the Saldana Road Quiet Zone project. The attached Exhibit C for reference will also cover contractor work for installing the medians at a later date. Our Roadmaster recommended a replacement of the existing crossing surface, and I have included the cost of the additional planks requested as well. The attached estimate covers this work. Our Roadmaster has an opportunity to do this work in the May-June timeframe this year, so as incentive to expedite the agreement I have at this time split the cost roughly 50/50 in the agreement language so the Township gets a discount on what the estimate came to be to replace and extend the crossing surface. Please feel free to give me a call if there are any questions."

The township cost in this crossing agreement is \$80,000. The township has replied that this cost-sharing arrangement wasn't raised at the Diagnostic Meeting and will take the township over budget. There is also the risk in signing the agreement since the township doesn't have one of the permanent easements. Also, MNDOT has denied allowing the township to put any additional water into their ditch, so Jon Bogart is working with the DNR to see if they will allow the drainage on their property. Both the Clerk and Supervisor Erdmann have contacted Richard Scott about these issues, and he has said, "BNSF will sharpen their pencils." Mike Couri, Town Attorney, has advised us that BNSF expects 100% reimbursement for crossing surface improvements, so that it won't be advisable to fight them when they are offering 50% cost sharing.

After considerable discussion, a motion was made by Supervisor Gondeck to notify the railroad that the township is prepared to sign the agreement letting them know that we are expecting the Permanent Easement soon. The motion was seconded by Supervisor Waytashek and passed.

The board has also had a response on April 18th from Claudia Dumont, Project Manager for MnDOT District 3, St. Cloud, regarding the possibility of connecting Indian Road to 85th Street with a frontage road past the Oak Hill Golf Course. Her is her reply: "Our entrance committee discussed the township proposal to extend Indian Road from the Oak Hill Golf Course to 85th Street. As I expected, a local road connection would not be allowed through the site corner in

the northeast quadrant of the TH10/85th Street intersection. MnDOT recommends that local road intersections be at least 300 feet from the highway, so the intersection approach doesn't get congested. I know the similar situation across TH10 at 85th and Ilex Place NW doesn't meet the 300 foot guidelines, and I don't know why or when it was allowed. It may be a case of "lessons learned"...the 300 feet separation is standard practice for MnDOT. The group also discussed closing the access to Indian Road if the frontage road was constructed. The group cited site distance concerns at the Indian Road access, and mentioned that access at 85th would be safer. In general, the group didn't see any benefit to extending Indian Road just to provide another way for drivers to enter or exit TH 10. Regarding trees near the golf course within the TH 10 right of way: our permits supervisor said the golf course will not be permitted to remove any trees. Apparently, the golf course developer removed some trees when the golf course was initially constructed, and did not follow the directions that were set forth by our office. Please feel free to give me a call if you would like to discuss further."

The board determined that the only frontage/backage road open to provide another access to Golf Haven and Oak Hill Estates will be a connection to County Road 4.

The meeting adjourned at 8:30 a.m., at which time the town board started the annual road tour.

Respectfully submitted by Clerk Pat Spence