

Watab Town Board Meeting Minutes for May 2, 2017

The regular monthly meeting of the Watab Town Board was called to order at 7:00 p.m. by Chair Craig Gondeck. Board members present were Supervisor Craig Gondeck, Supervisor Lloyd Erdmann, Supervisor Todd Waytashek, Treasurer Eileen Saldana, and Clerk Pat Spence. Audience members were Jason Krueger, Erik Forsberg, Doug Harden, Ray Thompson, Jerry Kostreba, Alex Gummon, John Olson, Kevin Reiter, Bob Raveling, and Anna Saldana. The first item of business was the Pledge to the Flag.

Next was the annual public discussion of MS4. Clerk Pat Spence gave the presentation asking the audience if anyone knows the definition of MS4. Maureen Graber responded that it stands for Municipal Separate Storm Sewer Systems. Pat stated that 27 townships in Minnesota are designated by the Minnesota Pollution Control Agency as MS4's. There are several Minimum Control Measures that are included in the township's permit. The first is Public Education, and the township fulfills much of its education goals through membership in the Central Minnesota Water Education Alliance. Highlights of the past year were the Photo Booth at Summertime by George, a CMWEA display that Pat set up at the Annual LRLA picnic, booths at various conventions, and the addition of storm water articles on Facebook. The second Minimum Control Measure is public participation, which is the annual meeting held to discuss the township's program. The third is Illicit Discharge and Detection. During 2016, the entire town board went through training provided by Wayne Cymbaluk, township MS4 consultant. The township follows written policies that uphold the township ordinance. Pat distributed a handout that showed the process for identifying and correcting illicit discharge and reminded everyone of their duty to report anything other than storm water going into our waters either through storm drains, ditches, or directly into the creeks, lake, and river. Reporting is anonymous to the town board or to MPCA. Contact information is on the township website. There were six illicit discharges identified by Craig Gondeck during 2016 inspections, and all were remedied within 24 hours by the contractor after they were given written notice of the issue. The next Minimum Control Measure in the permit is for construction site control. Two sites disturbed more than one acre of soil, and Craig inspected another 27 sites where homes were being built. Each site requires multiple inspections: pre-construction, time of footings, after each rainfall of ½ inch or more, and final construction for stabilization of site. Pat distributed a handout from MPCA that shows the Top 5 Construction Permit Violations. The next Minimum Control Measure is Post-Construction Management. Inspections need to be done one year after the construction is completed, and Craig works with the contractor/owner and new homeowner to terminate the permits. Clerk Spence requested board approval for her to consult with Wayne Cymbaluk to finalize the annual TMDL report to MPCA; motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed granting the approval.

Ray Thompson asked if agriculture must meet these same guidelines. Pat responded that the only time they need to comply is with new construction obtaining NPDES permits if they will disturb more than one acre. She does not believe that this is being strictly enforced in Benton County. Supervisor Gondeck said that MPCA is trying to get agriculture included and cited a law suit in Iowa. Both Supervisor Gondeck and Clerk Pat Spence attended a workshop sponsored by the Minnesota Erosion Control Association in Willmar last week. They learned that if the county does not comply with these rules, the township has an obligation to report to MPCA. They suggested a good way to see how much land is disturbed is to use Google Earth and see the amount of land that was excavated for a new chicken barn in the Little Rock Lake Watershed in Benton County. Clerk Spence stated that a typical site disturbs about two acres of land when you include the farm road to the barn and the excavation done to build it. Supervisor Gondeck said that the county has been using the size of the actual barn, which is less than

one acre. Clerk Spence identified items that the board needs to take care of during 2017: a pond inspection and culvert and ditch inspections with written reports. We also need to make certain that there is no concrete wash out area that is not contained; concrete washouts on the ground are not allowed. Supervisor Waytashek asked about the culvert inspections. Supervisor Gondeck said that every culvert in the township is marked with an identification number. He asked residents to contact a board member if they see a plugged culvert. Jerry Kostreba asked if culverts on county roads are included. He said that on County Road 55 there are culverts that stick out about four feet, and he is afraid the snowmobiles will hit them. Supervisor Gondeck said that he will let Chris Byrd know about them. Clerk Spence said that the workshop in Willmar was very educational and helpful. She will set up more board training with Wayne Cymbaluk for the fall of 2017. Jason Krueger asked if the township can ever get out of the MS4 program. Clerk Spence said that the township will be required to apply for a new permit before July 1, 2018. Supervisor Gondeck commended Pat for all her work on completing the annual report. The final discussion was regarding the Total Maximum Daily Load Allocations that the township must reduce phosphorus and bacteria in Little Rock Lake. Clerk Spence thanked Supervisor Gondeck and Treasurer Maureen Graber for their help in completing the report and the audience for their participation in the discussion.

Motion was made by Supervisor Erdmann, second by Supervisor Gondeck, and passed to approve the agenda with the addition of research on single garbage hauling for the township. Minutes of the April meetings were approved through a motion by Supervisor Gondeck, second by Supervisor Erdmann, and passed. Maureen Graber gave the Treasurer's Report with a total cash balance of \$551,549.66, which matches the fund balances in the CTAS program. Motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed to accept the Treasurer's Report. Approval to pay the monthly claims and to withdraw the necessary funds was made through a motion by Supervisor Gondeck, second by Supervisor Waytashek, and passed.

Citizen's Input: Kevin Reiter said that the pothole on 85th Street pothole is getting bigger; Doug Harden commented on the potholes by Pines Stop; Kevin Reiter talked about the condition of the Sucker Creek Bridge; Jason Krueger asked if anyone has turned in gopher feet; and John Olson reported a pothole west of the rail crossing on 105th Street.

Old Business:

- A. SCORE Grants were approved by Benton County: the amounts are \$10,230 for Clean Up Day and \$1,882.50 for Adopt a Highway. These amounts are less than approved for 2016.
- B. 85th Street Update: There will be a meeting for resident input on May 9th at approximately 7:30 p.m. Ray Thompson asked if 85th Street would be made as wide as 95th Street. The board informed him that 95th Street would be wider because of the shoulders. Supervisor Erdmann talked about the negative MNDOT response to the town board regarding connecting Indian Road to 85th Street. That is not an option. Doug Harden questioned why the board would spend time on a frontage road when Oak Hill Estates could be connected to County Road 78. Supervisor Erdmann said that a frontage or backage road might open more commercial development.
- C. Alex Gummon presented his request for township consent of an Off Sale and Sunday Liquor License renewal for Pine's Edge Liquor. Motion was made by Supervisor Erdmann, second by Supervisor Gondeck, and passed. The consent document was signed by the Chairman & Clerk.
- D. 95th Street: Supervisor Erdmann said that the final Permanent Easement has not been obtained because the various process servers cannot locate the couple. Because of that the board may have to divide the project into two parts and only do the Quiet Zone and reconstruction

between Plaziak Road and 10 + 50, slightly east from the 10th Avenue intersection. Other issues are that MNDOT will not allow the township to put any water in the Highway 10 ditch, so re-design will be needed to drain to the DNR land. A permit will be required. Also, BNSF has decided to bill the township for the crossing surface improvements at a cost of \$80,000, which is half of their estimated cost of improvements. Supervisor Erdmann said that BNSF has had all the materials on site to fix the crossing for more than two years, well before the township asked for the Quiet Zone. There will be a meeting with the engineer on this next Tuesday, May 9th at 7:00 p.m. The board asked Clerk Spence to contact Rich Scott again at BNSF to see if he has modified the cost sharing amount.

- E. Frontage Road: Supervisor Erdmann said that he and Clerk Spence had been working on a frontage road going north from 85th Street until the township ran into the MNDOT road block. We are required to be 300 feet away from the edge of Highway 10 with a frontage road, so the township would have to purchase a home, which is not an option. If a frontage road was built south of 85th Street, the landowners would need to give the right of way. Supervisor Gondeck brought up a land acquisition project from 1920 when residents were paid for right of way, but the document was never recorded with Benton County. He said if the document at the Benton County Historical Society is the original, it can still be recorded if that is requested by the owners of Oak Hill Estates.
- F. 105th Street damage: Supervisor Gondeck stated that he met with Rick Schlichting, land owner, on April 28th. He has signed an agreement to pay up to \$250 to repair the damage caused by the farm equipment. Work will be done by Saldana Excavating through a motion by Supervisor Erdmann and second by Supervisor Gondeck. Jerry Kostreba recommended that the board also seek funds for damage on Lakewood Shore Road by farm equipment.
- G. Fire Committee Meeting: Supervisor Gondeck reported that the first meeting will be at 7:00 p.m. on Monday, May 15th. A motion was made by Supervisor Erdmann, second by Supervisor Gondeck, and passed to appoint members of the committee: Doug Boser, Roxanne Wilson, Dick Raveling, John Olson, Jason Krueger, and Rob Jacobs in addition to the town board members. Supervisor Gondeck has invited a consultant from the State Fire Marshall's Office, who will lead the discussion; there is no charge for him to come. Supervisor Gondeck added that Rice Mayor Rogholt believes the city should have a proposal for the township by mid-May. Supervisor Waytashek asked how the contract amount would be impacted by what the township has already paid in 2017 for the first five months. Clerk Spence said that past practice has been the township received a credit for that amount.

New Business:

- A. Supervisor Gondeck presented the Annual Sign Inspection Report and said that the township needs two stop signs, four yield signs, 2 speed limit signs, and replacements for four railroad signs on Frost Road. A motion was made by Supervisor Erdmann, second by Supervisor Waytashek and passed to approve the purchase of the signs and to accept the annual report. Supervisor Erdmann recommended jamming the threads on the bolts so that the signs cannot be stolen. Ray Thompson said that his company has taken down a barn that had road signs in it; Erik Forsberg also has some signs that were stolen from the City of Sartell. Supervisor Gondeck will check on them to see if the township can use them. Motion was made by Supervisor Waytashek, second by Supervisor Erdmann, and passed to purchase No Parking Signs for the east side of Plaziak Road near County Road 55.
- B. Clerk Spence reported that \$2,700 should be forthcoming to the township's road and bridge fund for an unpaid assessment to a developer in 2008. She apologized for overlooking collection

of the unpaid amount, but she recently found the paperwork while looking for other old road documents.

- C. The board discussed action items from the Annual Road Tour: repair of potholes, snow plow damage repairs by Marson's, crack filling, and gopher control. Discussion by the board on the large hole by the corner of Indian Road and the street into the Golf Course clarified that Bill Novak had expanded the hole and plans to put in a rain garden. Supervisor Erdmann commented that there aren't as many potholes, but many of them are larger than usual. He made the motion to hire Saldana Excavating to make the repairs on potholes, except those at the Sucker Creek Bridge; motion was seconded by Supervisor Waytashek adding that the work should be completed as soon as possible; motion passed. Supervisor Gondeck said that the crack filling material is here, and the STS Crew has been scheduled for May. He will go with Marson's to show them the snow plow damage identified on the road tour. Supervisor Erdmann will meet with Don Kainz's renter on the farm equipment damage on the corner of Sucker Creek Road and Heron Road. Supervisor Gondeck asked for permission to hire someone to remove the stumps on the corner of Lakewood Shore Road and Circle Pines. He was asked to contact Jason Zwilling to do the work if he is insured. Bob Raveling asked if the board planned changes for Shoestring Loop; there are no plans for work there. Supervisor Waytashek said that 66th Street needs blading; Supervisor Gondeck will coordinate a plan between Jason Zwilling and Brian Erdmann to do so. Also, 105th Street will be graded. Motion was made by Supervisor Gondeck, second by Supervisor Waytashek, and passed to approve and accept the 2017 Annual Road Tour Report.
- D. Clerk Spence reported on the Legal Conference that was attended by Supervisor Gondeck, Waytashek, and herself. Motion was made by Supervisor Waytashek, second by Supervisor Gondeck, and passed to authorized the Clerk to work on the Joint Powers Agreement with Benton County Attorney and to pursue the identification number through the Bureau of Criminal Affairs to make the township able to receive two-thirds of the fines for criminal violations that occurred in Watab Township. This could bring in thousands of dollars that are now going to the state. All three agreed that the training was useful and well presented.
- E. Supervisor Gondeck gave a report on his meeting with the Rice Park Board Committee. He was invited to be a member. The first thing that is needed to be eligible for funding is a comprehensive park plan. Rice would like to establish a bike path to go to Bend in the River Park and to have more neighborhood parks. There will be another meeting in June.
- F. There will be Board of Equalization Training for Supervisor Erdmann and Waytashek to attend at the MAT Summer Short Course. No residents came to the 2017 Board of Equalization.
- G. Supervisor Waytashek reported on the Skywarn Training he attended last week. He is becoming a Spotter for Watab Township and believes that the current process will not give Watab adequate warning, since a local Spotter's notice is sent to Chanhassen and then back to the county dispatcher. Motion was made by Supervisor Gondeck, second by Supervisor Erdmann, and passed to meet with the siren company representatives when maintenance is done to learn how the town board members can activate the township's two outdoor warning sirens. Supervisor Waytashek will also attend additional training to benefit the township.
- H. Supervisor Gondeck said that residents of Oak Hill Estates and Golf Haven Estates recently had a meeting and decided to have one garbage hauler for their neighborhoods. They wonder if the rest of the township would do this to save money and wear and tear on the roads. The board asked Supervisor Gondeck to research it for further discussion.
- I. Board Member Reports: Supervisor Erdmann will work with Clerk Spence on identifying appropriate areas on the town hall lawn for putting in stakes that won't damage the sprinkler system. Recently, renters have installed horseshoes. Information will need to be included in the rental agreement. Supervisor Gondeck said that the Greater St. Cloud Development Corporation

has a lot of exciting projects. The Governor's Fishing Opener is well organized. Treasurer Graber said that she invited Governor Dayton to come to Little Rock Lake.

J. Board Work Plan for May was discussed.

Citizen's Input: Bob Raveling recommended that everyone look at their property tax statement for the non-approved school levy amount. Jason Krueger said that he has serious concerns about having a single hauler for garbage in the township and would address them at the appropriate time. Maureen Graber thanked Lloyd Erdmann for picking up the deer carcasses that people had dumped in the ditch on Lakewood Shore Rd NW. Supervisor Waytashek asked the acoustical panels in the ceiling were helping the audience hear the town board; they responded, "yes." He also encouraged everyone to be on the watch for stealing in the township; he has had diesel fuel stolen three times. Doug Harden said that last Monday a motor cycle and chain saw were stolen from a Watab garage. If anyone sees suspicious activity, they should call the Sheriff's Department. Everyone was thanked for their input.

The meeting adjourned at 9:10 p.m.

Respectfully submitted by Clerk Pat Spence