

FRANKLIN TOWNSHIP

REGULAR MEETING MINUTES

April 1, 2019

At 7:00 p.m. Chairman William McMullen called this April 1, 2019 Regular Monthly Meeting to order and asked all to stand for the Pledge of Allegiance. Board Members present were; John Czanstkowski Sr., Mike Barfknecht, Stephanie Russek and Renee Olson.

Motion to approve the March 4, 2019 Regular Meeting Minutes Czanstkowski/Barfknecht M/S/C Unanimous.

NEW BUSINESS

Todd Bauman, Dog/Noise Ordinance Todd is present this evening to discuss a neighbor that leaves his dog out to bark all night. Todd states he has written letters and talked with the neighbor, both attempts have been unsuccessful. Todd states that if the dog was on the other side of the river, the dog would be covered by the Rockford Township Public Nuisance Noise Ordinance. Todd has spoken with the Wright County Sheriff's office and they have told him that without an ordinance they can do nothing. McMullen reads aloud the Rockford public nuisance ordinance. McMullen has left a message with Greg Kryzer but has not spoken with him. McMullen states Wright County has a public nuisance ordinance but he believes two people need to call to report the issue for Wright County to act. McMullen would like to talk with Kryzer to confirm his beliefs. Barfknecht asks if any other neighbors have complained and Bauman says that they live far enough away. He states the only people that are hearing the dog are people in Rockford Township and him. McMullen states that we do not have a strong appetite for ordinances. Czanstkowski agrees that we should explore more. Enforcement is always a big piece to the puzzle. Todd states that they have been told the Township is the last resort for their complaint. McMullen believes if we can get this under a county ordinance, there would probably be more teeth to the ordinance. Czanstkowski believes a letter from the Town Board to the owner of the dog is our next step. Clerk Russek will write a letter to the homeowner and McMullen will follow up with Greg Kryzer at Wright County.

Andrea Zitzloff is present this evening, she lives on Fairhill Avenue, in Rice Lake Meadows. Andrea has had her massage license for over 20 years in St Louis Park, Maple Grove and Shakopee. She also has a private practice, but can only practice in cities that she is licensed in. She would like to bring the private portion of her business into her home. McMullen asks if she has checked with the County and she has. Andrea states that she sees about 4 people a week privately. She is the second house on the right of the development, so does not believe traffic will be a concern. Czanstkowski states that as long as Andrea meets Wright County Planning & Zoning requirements, the Township is good with her plan. **Motion** to approve Andrea Zitzloff's in home massage business Czanstkowski/Barfknecht M/S/C Unanimous.

Cedar Lake PUD Motion that as a part of current and future PUD's for road bonds, that the Township secure a payment bond in the amount of 150% of the project cost, issued to both the Township and Wright County and a separate performance/warranty bond for 75% of the project cost. Both bonds are to be issued before the project begins. In lieu of a bond, letters of credit

are also acceptable from a bank within 15 miles of Franklin Township McMullen/Barfknecht M/S/C Unanimous.

St Mary's Liquor License for summer picnic Motion to approve the liquor license for St Mary's as long as it meets Wright County planning & zoning requirements Barfknecht/McMullen M/S/C Unanimous.

Gaylen Hayes land title changes Gaylen is present this evening, along with Sandy Addicks, in hopes to divide farmland. Gaylen states they are not changing anything, just the property lines and who owns which piece. The larger portion will be Gaylen's and the smaller portion will be Sandy's, each to attach to their current properties. This property was their mother's property. **Motion** to approve the lot line change and title change, as long as it meets Wright County Planning and Zoning requirements. Barfknecht/Czanstkowski M/S/C Unanimous.

REORGANIZATIONAL DUTIES

Motion to name Board Chair to John Czanstkowski –McMullen/Barfknecht M/S/C Unanimous

Motion to name Board Vice Chair to William McMullen Barfknecht/Czanstkowski M/S/C Unanimous

The Official Legal Newspaper for publication was designated as the Delano Herald Journal at the February 2019 Township Meeting

Motion to post Legal Notices at the Town Hall Czanstkowski/Barfknecht M/S/C Unanimous

Motion designating Cor Trust as the bank depository Barfknecht/McMullen M/S/C Unanimous.

Motion that the 2019 Cor Trust Signature Card includes the following 4 signatures; Clerk/Treasurer, Deputy Clerk/Treasurer, Chair & Vice Chair, and two signatures are required on each check Czanstkowski/McMullen M/S/C Unanimous.

Review inspection of the workplace finds nothing hazardous (AWAIR) is tabled to next meeting.

Motion to continue taping minutes for the "sole purpose" to aid in minute accuracy Barfknecht/McMullen M/S/C Unanimous.

Motion to provide copies of the approved minutes at a flat rate of \$5 and for requests of large volume electronic duplication, the Clerk's hours + .25 cents per page McMullen/Czanstkowski M/S/C Unanimous.

Motion to accept Conflict of Interest Resolution for William McMullen Barfknecht/Czanstkowski. McMullen abstains.

Motion to accept Conflict of Interest Resolution for John Czanstkowski Sr McMullen/Barfknecht. Czanstkowski abstains.

Motion to accept Conflict of Interest Resolution Mike Barfknecht Czanstkowski/McMullen. Barfknecht abstains.

Motion that 2019 mileage reimbursement rate will match the Federal guideline for the year McMullen/Czanstkowski M/S/C Unanimous

Motion that training events for the Board be paid at a flat rate of \$80/½ day and \$160/full day Barfknecht/McMullen M/S/C Unanimous.

Motion that Regular Monthly Meetings are the first Monday of every month at 7 p.m. at the Town Hall—except when a meeting date falls on a holiday-- the meeting is then Tuesday at 7 pm at the Town Hall McMullen/Barfknecht M/S/C Unanimous

OLD BUSINESS

Delegated Board Responsibilities McMullen states that we are close to a contract with Xtratyme. We need to change a date and put the Wright County fence wording into the contract, but other than that, things look good. **Motion** that after contract changes are made, we enter into the contract with Xtratyme to lease the space for up to a 130-foot tower for internet service. Xtratyme will provide to the private sector with all the conditions we have in the contract. As a part of this contract, we get 4% of the revenue and free internet to the Town Hall McMullen/Czanstkowski M/S/C Unanimous. McMullen adds that owner Kyle has said that as soon as the frost is out of the ground, they will get the tower going. //State road 25 to the first traffic circle in Buffalo is going to be detoured while work is being done this summer. MN DOT is going to put signs on 40th Street and the next road south towards 12, that it is not a thru road.//Martin Marietta will not be lowering their granite price past what was quoted.//**Russek** The SPRA grant was not awarded. The board discusses what the next steps are for 40th Street. Wait one more year and apply again for the grant? Fix the low spot that is in bad shape? McMullen says it is a decent road. The Board feels we should get some quotes and see what it costs. Barfknecht states that it doesn't pay to put a lot of money into the road, until we can do it right. McMullen states that we have decided the base is good, except for the one 300-foot section. Do we attack the bad patch? Bituminous seems to be the logical option. Russek will make a few calls and develop a couple options for the next meeting. Barfknecht will be the contact, once we decide who we are proceeding with.

OTHER

Motion to approve the \$78,500 seal coat project plus striping with Wright County for Farmington and the 3 small township projects; 57th Street, Indian Hills and Hickory Hills McMullen/Barfknecht M/S/C Unanimous.

McMullen states he rode Farmington Avenue and saw a couple cracks that do not look good. Before the seal coat, he feels we should fix those cracks. Czanstkowski states that what was put on County Road 30 worked well. Deputy Olson will send out quote proposals for the crack seal.

McMullen inquires about the past spring posting weights for Farmington Avenue. Was it 7 ton or 5 ton? Right now, it is at 7 ton all the time. McMullen wonders if during this difficult thaw, we should go down to 5 tons. The board agrees to post to a 5-ton road for road for the spring season. McMullen will talk with maintenance supervisor Butterfass about getting the road posted.

McMullen notes that we have some large blow ups on the Otta Seal test road. It has been a tough spring on the roads. The board will need to address this road on the road tour and devise a plan from there.

The Spring road tour is set for Tuesday April 23rd at 8 am.

Culvert of off Braun Wright County Soil is going to talk with the DNR to make sure the culvert can be enlarged on property owner Rob Reyna's land. Board discussion on the best way to proceed if we get the go ahead from Wright County. Should the township put in the culvert to

ultimately protect the integrity of the road? Czanstkowski believes the property owner should pay for his culvert or perhaps a cost share. One thing is certain; we need his permission to do anything. Resident Peggy asks the cost, McMullen believes a couple thousand dollars. The logical move is to install a 4' culvert. McMullen will follow up with land owner. Resident DeWayne Bauman feels we should check minutes from a few years back. He recalls the board addressing this in the past.

107th homemade speed bump McMullen explains that, in Krienkeville, 107th Street was not paved when the development was paved many years ago. A resident has put in a speed bump on this road now. Barfknecht states 107th is a private road. The township has not been maintaining the road. The road has been used by the public and we have not vacated the road. When we made the agreement with the homeowners many years ago, 107th remained a township road. Barfknecht states that Delayne Lindquist knows the most about what is going on on this road. McMullen will talk with Mrs. Lindquist and try to get the history of this road and determine if 107th has ever been recorded as a road.

Wedding 2020 on 60th Street a resident has asked if that is fine that she puts a tent up for her wedding in 2020 on this dead-end road. McMullen told her to call us that summer to remind us, but sees no problem with her plans.

Broad Band Day at the capital is April 3rd, the board is aware.

Discussion about the employee manual's description of overtime pay. Is our work week 5 day or 7 day? Does it matter if vacation or PTO is used in a week? Deputy Olson will draft a new payroll policy based on our discussion for next meeting. Deputy Olson will go back and pay the overtime that was unpaid from the last 2 paychecks.

Clerk Russek will look into a new laptop and gather information and pricing.

The Hydrogeology Report is presented. Mark Bauman is reading the report and will report back to the board.

OPPORTUNITY FOR PUBLIC COMMENT

DeWayne_Bauman asks about posting Brighton Ave. McMullen says all roads should be posted. He will double check with the maintenance employees.

DeWayne Bauman asks McMullen to ride with the Dust Control truck again to control the amount used.

After Board Review, Motion to approve claims #15248 through #15270 total amount claimed \$21,163.37 dated 3/6/2019, and to approve claims #15271 through #15286 including Delano Municipal Utility ACH total amount claimed \$10,178.72 dated 3/20/2019
McMullen/Czanstkowski M/S/C Unanimous.

At 9:16 p.m. **Motion** to adjourn this April 1, 2019 Regular Meeting
Barfknecht/Czanstkowski M/S/C Unanimous.

Respectfully Submitted,

Stephanie Russek, Clerk/Treasurer

William McMullen, Board Chair