



TOWN OF BROCKWAY
COUNTY OF STEARNS
STATE OF MINNESOTA
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MEETING MINUTES

February 20, 2024

Approved

1. **Call to Order:**

- On the 20th of February 2024, the Regular meeting was called to order at 7:30. The Pledge was recited. All members present.
- Motion made by Fiedler to approve the agenda with additions, seconded Pogatchnik, approved.
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2. **Land Use Requests:**

- Motion made by Fiedler to approve the preliminary plat for the Johannes property, seconded Douvier, approved.
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3. **Clerk's Report:**

Motion made by Pogatchnik to approve the January 16 minutes with one correction, seconded Douvier, approved.

4. **Treasurer's Report:**

- A. Motion made by Fiedler to approve the January report on accounts, seconded Douvier, approved.
- B. Motion made by Fiedler to approve claims 22994-23009, seconded Douvier, approved.

5. **Public Input:**

Sgt. Steven Noetzel from the Sheriff's department was present and informed us for the month of January we have 71 calls for service and 17 were traffic.

6. **Old Business:**

- A. **Roads:** Pogatchnik stated 115th Av on the south end, west side there is a big sink hole on the shoulder. Do we have John fix it or do we take care of it. Douvier thought the shoulder was going away and the asphalt is going with it. Discussion continued who or what to use to fill the hole. Douvier feels it should be cut out and filled in. Douvier suggested Hanson could fix this problem. Fiedler will get a hold of Hanson and see if they are in operation yet for the year to fix this hole. Fielder addressed the issue of snow stakes from December, he drove down there and there are still snow stakes all over. Fiedler has put together another letter to send to remind them of no stakes in the ROW. Discussion was addressed on them putting that close to the road that they will get damaged. Pogatchnik's brother lives down that road and was concerned that we don't enforce anything. If he drives down that road and must swerve to miss someone and scratches his truck he will be coming to the Board for damages. Fiedler wants to send another letter as a reminder for next year, since the snow season is almost done, they will be run over by the snowplow or removed by a supervisor at their cost. Resident Warzecha stated that if you have something in the ROW and

someone gets hurt it is the resident's insurance that will have to pay. Fiedler also brought up about striping roads, do we want to, Douvier said yes. We used AAA Striping back in 2020. If the stripes are there, we should not have to have it reengineered.

- B. **Ehlen:** Atty Ruppe put together a letter which has been sent already. Copy is in the file.
- C. **Township Maintenance map:** Marking our culverts through a program with Stearns County. Douvier stated he has gone on the website, and it lets you drop a point where culverts are. Fiedler thought if we numbered our culverts then we would know where they all are as far as intersections. Douvier feels as we replace, we should start adding them to the program. You can put in size, but then they would know if you replaced with a larger or smaller one. Pogatchnik asked if we couldn't have Jon Anderson from ID signs company map our culverts? Discussion was expressed on numbering the culverts to know exactly where it is. If we need it on a website. Why should we put energy towards it if we aren't going to use it. Duffy Engineering did an account of our culverts at one time. Douvier asked if he was just planning on doing the road culverts, not approach culverts. Resident Vouk suggested if you're repaving a mile, you could check on the age of the culvert at that time. Douvier & Fiedler expressed they would like to put effort into it and Pogatchnik will support that.
- D. **Townline Road status:** Stearns County is hosting a public hearing at the Sartell Community Center on February 27 @ 5:30 to 7:00 pm to discuss future proposals on 30th Av, 75th Avenue, Townline road. Houston Engineering is heading up this project.
- E. **Broadband money to county:** (\$166,663) On the ARPA money we have \$160,000. Holding the money until the County needs the money. Pogatchnik feels we should get rid of this ARPA money and not wait til the end of the year. He feels the first chance we get to use up that money and we don't have to worry about it.
- F. **Opole Septic – Emergency Response:** Fiedler wondered if we have sent anything out recently on this. Treasurer Goodew stated she sends it every year with their billing statement. Fiedler just wanted to make sure we were educating them on what they should do if problems. Pogatchnik wanted to know if a conclusion had come with the mapping of the pipes. 811 will not locate our septic lines in Opole. Discussion went on about finding the "As Built" drawings of the system. You could have a company go out there and map it, but it would be a huge cost. Is the burden on the township to mark it. Resident Vouk thought it was Eagle from Little Falls, we looked it up and Clerk will call them. Pogatchnik feels if we get a ROW permit for fiber, we need to contact the contractor, so they are aware there is a septic system in the area. How are plastic lines located?
- G. **MS4:** PC Sandal stated he got a notice that there will be no reporting for MS4 they are working on a new electronic format for reporting. Last year we didn't have to do it and not this year either.
- H. **Township property:** Pogatchnik got a call from the landowner just to the east; he owns a field out here. He was thinking of putting it into CRP or planting trees on it. He asked about our three acres as he rents it out. We received a letter from USDA regarding this, Fiedler called the office regarding this. Pogatchnik and Fiedler weren't even aware that we had three acres that was being farmed. Douvier stated they were doing that to have it seeded in, to take care of the pocket gophers and weeds. Fiedler asked if there was a written agreement and Douvier stated no. Discussion continued who is farming it now. Pogatchnik would like the renter to come to a board meeting and inform them of what his plans are, how he will maintain the three acres. Pogatchnik would like to see a farm contract between the town board and the renter of this property. Fiedler feels we

should get Ruppe involved in it to cover ourselves. Fiedler asked if Pogatchnik would contact Brian and ask him to come to a meeting. Pogatchnik will call Brian and Fiedler will call Kroll.

7. **New Business:**

- A. **Crack sealing 2024:** Four vendors were given the information, we received two bids back. Bertram and Astech. Motion made by Pogatchnik to approve Bertram Asphalt for crack sealing for 2024, seconded Feidler, approved.
- B. **Board of Appeal** April 12 @ 9:00 am
- C. **ARPA** – Treasurer did a nice itemization on what we have spent and what we have left to spend. Goodew wondered if she should change the 2023 items and put in different categories. From the previous discussion they just want to spend it and be done. We use that money for everything so we burn because we will spend the same amount of money in 18 months whether it is ARPA or it's coming out of Townships funds.
- D. **Census:** PC Sandal thought this was on the census boundary area and he has taken care of it.
- E. **Annual meeting** March 12, 2024 @ 8:30 pm
- F. **Mapping culverts:** Already discussed in the Township Maintenance map.
- G. **Accessory Buildings:** Fiedler wanted to mention Ordinance 667 the county redefined what is an accessory building. Fiedler is okay with the way it is unless the township wanted to be more restrictive.
- H. **Cannabis:** County did an ordinance 654 on cannabis and as a township we can be more restrictive. County states that cannabis can only be used on private residences.
- I. **Spring short course training:** March 26, 2024, in St. Cloud. Motion made by Fiedler to allow Supervisors, Clerk and Treasurer to attend, seconded Douvier, approved. If wanting to go we will give you a check next month to attend. Fiedler would like to attend.
- J. **Election Judges:** Resolution signed for Judges in 2024.
- K. **New complaint:** Fiedler wanted to address another complaint on the Schwartz property. A letter three years ago was sent about all the junk cars, motors, and debris everywhere. It still has not been cleaned up. The new owner is the son of Todd and Rachel but said he has never gotten this letter. Fiedler has a letter prepared to send to him. Pogatchnik is asking what we are requiring him to do. He has engines and old cars everywhere. Discussion was brought forth on how you can enforce this when there are other houses are in violation of it. We are doing it on an on-call basis. If the vehicle is not operable, he needs to be put in a shed or gotten rid of. What is acceptable? Neat, clean orderly and not ALL. There are so many situations in the township, we can't nick pick. Todd & Rachel said they were going to put a building up, but that never happened. Douvier feels it is more than just the vehicles sitting around, if you drive down there are a lot of burn outs and action going on. There is about 40 some cars in that area and motors. But if nobody would have complained we wouldn't be doing anything. Fiedler wanted to go on record that he disagrees with a case by case, we should be enforcing our ordinance. Fiedler asked if we send the letter or just let it be. Pogatchnik stated he is not disagreeing that something needs to be done. His disagreement is about all, everything. Fiedler stated all is our ordinance, if you want it changed bring a proposal to change it. Fiedler told him if it runs and is registered it is okay to have it. Pogatchnik feels it is too strict for our community. And what is the number that would be acceptable? Give him an option to build a shed, get them out of sight. Pogatchnik wanted one word changed, "The

township will take action”, he would like to see it as “The township may take action”. Add; “Out of sight by way of a shed or fence”. Fiedler will make changes and email to each supervisor for their approval.

8. **Mail / Miscellaneous:**

- Hazard Mitigation grants are available no later than April 1, 2024
- Nathan/Joe Lahr – shoreland alteration mtg February 22, 2024.
- Township Day at Capitol April 8, 2024,

9. **Public Input:**

None

Move to Adjourn/Recess: 9:04 time. Next Regular Meeting Date: Monday March 18, 2024

1 correction made. MAC