



TOWN OF BROCKWAY
COUNTY OF STEARNS
STATE OF MINNESOTA
WWW.BROCKWAYTOWNSHIP.GOV/OFFICE.COM

MEETING MINUTES

1. **Call to Order:**

- On this 15th day of August 2022, the Regular Monthly Meeting was called to order at 7:30 p.m. with all Board members present. The Pledge of Allegiance was recited.
- Motion was made by Fiedler to approve the agenda, seconded Douvier, approved.

2. **Land Use Requests:**

None currently

3. **Clerk's Report:**

- A. Motion made by Fiedler to approve the July 18, 2022, Regular Meeting minutes, seconded Douvier, approved.

4. **Treasurer's Report:**

- A. Motion made by Fiedler to approve July report on accounts, seconded Douvier, approved.
- B. Motion made by Fiedler to approve Claims #22655-22675, seconded Douvier, approved.

5. **Public Input:**

- A. None currently

6. **Old Business:**

- A. **Roads:** MN Paving who did Brockway Hollow Douvier talked with them about coring the road. Douvier met Don Surma at Brockway Hollow, and they do not feel good about coring as it might deteriorate the road in five years or so. MN Paving wants to charge \$250/core, he also looked at the surface cracking and wasn't too concerned about that, but if a problem occurred within a year they would come back and fix it. Douvier would like the input of the other board members. Fiedler felt it would be more trouble dealing with them on this and if we questioned them on the quality, they could possibly take us to court. Douvier feels in the future our contract needs to be more detailed. Pogatchnik feels it should be done in case we use them in future we will know what their work is like. Douvier will move ahead with coring on Brockway Hollow & Moonlight Lane. Douvier is concerned there is some confusion on Burski doing the work that was storm damage. Motion made by Pogatchnik to accept Burski Excavating proposal of \$170,800 storm damage repair bid. Seconded Douvier, approved
- B. **Signs:** Clerk Stang has had contact with John Anderson, and he is in the process of getting us a proposal.
- C. **99-year lease:** Owner Scott Privratsky has signed, Chairman Fiedler and Clerk Stang also signed. This will be recorded and sent back to Privratsky.
- D. **Cemetery:** JB Concrete / Craig 320-248-7184 was contacted and will take care of the issues addressed by Jon Perry.
- E. **Smart's Ferry – landscaping:** Fiedler has found an Engineer Schimnowski Criterium Engineers they will look at it. Will give a breakout of cost in a couple of weeks.

- F. **411th, 56th & 57th** : Fiedler started out with 411th. Brandon Theisen was not present, Don Surma stated he was going to be here. Tabled. Supervisors just wanted to address the options that could happen with his property. Wanted his input on what would work best for him.
- G. **Landscaping at Town hall**: Fiedler advised Charles from Rocks & Roses was going to dust off the proposal he gave and get it to us. He was the lowest of all proposals submitted. Will look at it at the next meeting.
- H. **Crack Sealing 2022**: Two bids were submitted from Aztech & Bertram for Fall work. Aztech was \$57,000 for 27,000 pounds and Bertram \$32,000 for 27,000 pounds. Douvier thought they would do a good job; they have done work before for the township. Contract for Bertram was signed and sent back. Motion made by Pogatchnik to accept Bertram to do seal coating for the bid, seconded Douvier, approved.
- I. **Legatt Developer Agreement / Final Draft**: PC Sandler stated the changes from the last time have been made, changes have been sent to Steve Legatt for his final plans and sign off on the developer agreement. PC Sandler gave a list of Engineers for the Board to consider and look at this development. Legatt was looking at a revision of the county ordinance he wants Out lot A to be a controlled access lot. Board discussed Engineers and chose Haakenson.
- J. **Gilleland Vacation Easement / Sam Deleo**: Chrissy Gilleland is looking at building a house on two platted lots on Williams Acres on the Mississippi River. She purchased two lots combined them at the county so they are one parcel now. In between the two lots is the drainage utilities easement that runs alongside the lot line. They are requesting that this easement be vacated. The township can't remember doing this, but the County requires them. PC Sandler stated there was a petition process that needs to be followed for vacating. Bob Ruppe has been advising PC Sandler on the ordinances. Deleo stated his attorney said "may" follow not "shall" and he states any other township has never had a public hearing on this type of change. Fiedler pointed out in the statute that it says "may". Pogatchnik questioned with all the drainage by Upper Deck is there any reason that it is in there for that drainage coming from Prairie Grass. Deleo stated it wouldn't get past the road, but once the house is built, they plan on putting in a storm water basin to collect that water. Fiedler asked if the County had any issues with the easement, PC Sandler wasn't sure. Board agreed to get a Resolution made up to cover this for the next meeting.
- K. **Zwack addition / Mowing**: Clerk Stang had a resident call regarding road ditch mowing in their area, after driving through it has been mowed, just grew back. She also had some concerns about the Stop sign so John went out and will be replacing that sign. Pogatchnik brought up about this month being the time we can mow our entire ROW. Was Chuck Ertl going to do this? Pogatchnik asked if money could be approved if Douvier calls Ertl that he can get on it. Fiedler will call Midwest and see what the cost of renting a unit and if one is available. Pogatchnik also stated United Rental, RDO might have something as well. Treasurer asked if there would be a different pay scale if Pat Smoley did it and Pogatchnik thought there should be. Pogatchnik asked Smoley if that would be something he would want to do if the Township ends up renting a machine? Pogatchnik proposed paying Smoley \$30/hour for operating a brush cutter if rented. Motion made by Pogatchnik to move Pat Smoley's wage to \$30/hour for equipment operator, seconded Douvier, approved. Douvier wanted clarification if it was just brush or mowing the ditch? Pogatchnik thought clean it up get as much done as you can. Pat Smoley stated he thought it would be better staying with brush. Confusion was over if there was going to be a second pass on the grass or brush? Pogatchnik felt the brush is what needs to go. Motion made by Fiedler to allocate \$8000 if Chuck Ertl does the brush mowing, seconded Pogatchnik, approved.

L. **FEMA Disaster Relief:** Pogatchnik stated he and Clerk Stang attended the FEMA meeting last week. He asked the question if we got the work done is the Township responsible for the costs. The presenter stated he would be happy as we are done with our work. Pogatchnik feels after this meeting and the questions that were asked, he feels the best thing we could do is get this work done now. Turn the money in it's approved, if not done when they get to us a site visit will need to be done on each one. Douvier addressed the letters we sent out giving landowners the option to clean their ditches. Douvier is wondering if that is smart to have the landowners doing this? Pogatchnik stated we can hire Burski to do it as it came from the storm damage. Douvier asked if someone went in already and took care of the problem how do we handle that? Pogatchnik stated we have new information since the FEMA meeting, and we can take care of the issues. Douvier asked if a renter on one of the properties has a contractor lined up to take care of the problem do we allow him to go ahead and get the work done. Pogatchnik again stated FEMA says we are taking care of all of this.

7. **New Business:**

- A. **Snow bids:** Clerk Stang stated that a Notice has been put out for anyone to submit a bid. Will be ready by September meeting.
- B. **398th Street, 440th Street, Prairie Grass Drive:** Fiedler stated another complaint about **Prairie Grass Drive Johnson** was submitted. Fiedler sent a letter to them on what the Township could do, the county will also follow up. **440th Street Schwartz**, Fiedler sent a second letter about a year and a half ago. Nothing has changed. Fiedler is going to personally go there and speak with them. **398th Street** a resident called about a lawn not being mowed, junk cars. Fiedler sent a letter stating not in compliance with nuisance ordinance.
- C. **400th Street:** PC Sandler stated Curt Fernholtz and Steve Legatt approached on a home build on shore land property, outside of township business. Request was for a letter of support as there may be some variances that are needed. Fiedler suggested PC Sandler put together a letter. Supervisors thought this property was on Majestic Estates, but then realized that it is on the North side of Friedrichs garage. Legatt wants to position the home differently from what the current setbacks are. Fiedler stated we don't get involved with construction permits as far as setbacks. Douvier stated he has no idea what we are supporting. Supervisors decided to wait until more details are presented.

Move to Adjourn/Recess: 8:46 time. Next Regular Meeting Date: Monday, September 19, 2022

Margaret Stang

Margaret Stang, Clerk

Date Approved 9-19-22

Amendments 2

George Fiedler, Chairman

Brockway Township is an Equal Opportunity Provider and Employer
be recorded for transcription purposes only.