

**Clearwater Township
Regular Board Meeting (Approved)
March 14, 2016**

The regular meeting & Public hearing for the Town of Clearwater was called to order by Dan Mol at 7:30 p.m. on Monday March 14, 2016 at the Clearwater Town Hall.

Board Members present: Chairman Dan Mol, Supervisor Bill Langenbacher, Supervisor Scott Miller, Treasurer Kristin Helwig, and Clerk Jean Just.

Visitors as signed in: Jim & Sharon Lee, Chris Wald, Ron & Judy Lashinski, ken Gohman, Doc Gohman, Keith & Barbara Theisen, Fred & Janel Schaefer, Lynne Crandall, Viola Anderson, Jeffrey Anderson, Jim Anderson, Rick Berden, Tim Ferrell, John Peterson, John Notsch, Ron & Deb Schabel, John Rausch, John Ironside, Brad Wurm Kelly Wurm Marie Taylor Gohman, Mike Gohman, Pat Chaplin, Greg Wallgren, Jamie Albrecht, Tracy Albrecht, Carol Halvorson, Vicki Anderson, Derik Johnson, Trista & Tyler Cleveland, Katie Fort, Sue Henstein, Wally Westerberg, tom Schwartz, Zachman, Roger Thompson, Cheryl Wolff

After reciting the Pledge of Allegiance, Miller made a motion to approve the agenda and the reg. meeting minutes of February 8, 2016, special meeting minutes of February 10, 2016 & February 12, 2016 as presented. Langenbacher seconded the motion. Motion carried unanimously.

Treasurer Kristin Helwig read the Treasurer's report for February 29, 2016. Langenbacher made a motion to approve both the Treasurer's report. Miller seconded the motion. Motion carried unanimously.

Guest/Public Comment: None

Open Quotes for Gravel Hauling

Chairman Mol opened and read the three quotes as follows:

Bjorklund Companies: Class 1 Gravel delivered on road approximately 10,000 yards @ \$4.38 per yard
Also, quoted rental of a Tri-axel dump truck at \$85.00/hr

ML Schendzielos & Son, Inc: Class 1 Gravel delivered on road approximately 10,000 yards @4.33 per yard
Also, quoted rental of a Quad-axel @ \$92.00/hr; Quad-axel @\$90.00/hr; Tri-axes @ \$89.00/hr

Mid-Minnesota Hot Mix: Class 1 Gravel delivered on road approximately 10,000 yards @4.43 per yard
Also, quoted rental of a Quad-axel dump truck at \$93.00/hr

Langenbacher made a motion to award the Quote to ML Schendzielos & Son, Inc. to deliver approximately 10,000 yards of Class 1 gravel to township roads at \$4.33 per yard. Miller seconded the motion. Motion carried unanimously.

Open Quotes for Chloride

Chairman Mol opened and read the three quotes as follows:

Central MN Dust Control: Furnish and apply 30% Magnesium Chloride to various roads in the Township for the complete price of \$.86/gallon.

Tri City Paving: Furnish and apply 38% Calcium Chloride to various roads in the Township for the complete price of \$.99/gallon.

Envirotech: Furnish and apply 30% Magnesium Chloride to various roads in the Township for the complete price of \$.92/gallon.

Board discussed with Mike Ludenia regarding the difference between Calcium Chloride & Magnesium Chloride. Mike indicated that with the 38% Calcium Chloride it is a heavier solution and we were having issues with the roads becoming very slippery after a rain. Kurt from Central MN Dust Control indicated that 30% Magnesium Chloride is the same as a 35% Calcium Chloride.

Miller made a motion to apply approximately 50,000 gallons of 30% Magnesium Chloride to various roads in the Township for a price of \$.86/gallon. Langenbacher seconded the motion. Motion carried unanimously.

Open Quote for Chip Sealing

Chairman Mol opened quote for Chip Sealing of 125th to Hart & 140th Street. Quote from Astech came in at \$90,675.20 with an additional \$34,776 for the dead end portion of the roads. Ludenia indicated that we would use our own equipment to do the grading, packing, and watering of the road so that it is ready for the chip seal.

Halvorson whom lives on 140th Street indicated that she is opposed to the Chip Sealing due the dangers of faster traffic. Halvorson indicated that they did not receive advance notice of this project and wondered why in the past they have sent notices out and that nothing was sent out at this time. Board indicated that they were not aware of any notices going out to homeowners regarding a chip sealing project. Miller indicated that 140th Street is being looked at since it has one of the highest traffic counts and was built to handle hard surface. Katie Ford whom lives on 140th Street indicated that she has pulled some information regarding chip sealing and that indicated it was only used over already tared roads, asked about the amount of traffic on the Silver Creek Road that was completed, will it hold up with higher traffic, who is paying for it to be done, during the application process how would homeowners be affected. Lagenbacher who was involved in the Silver Creek project indicated that it is a heavily traveled road and over the past four years has done very little patching on the road. The patching is very inexpensive. It will require another coat of chip seal after about 5-7 years. There is no change to the weight restricts and the project would eliminate the need to apply gravel and chloride. The cost is about ¼ the cost of traditional tar and would pay for itself in five years. There would be no assessment to landowners. Barb Theisen whom lives on Hart Ave indicated that she has talked to several neighbors and they are all in favor of the chip seal. She disagrees that speed would be a factor since cars already drive fast on that portion of the road and feels it would be better for the lake rather than continuing to apply chloride. Miller indicated that the board is looking at doing a little at a time to find out if it works and if it will save the township money in the long run. He stated that a road that he lived on in Stearns County was paved and the traffic did not drive any faster than they did before it paved. Three were others along 140th Street that also felt that if it was to become hard surface that safety would come into effect with higher speeds.

Township Attorney Mike Couri stated that if the Township was going to look at doing all of the proposed roads they would have to go out for bids. Minnesota Statutes, require cities, counties and townships to solicit bids on any project that might be higher than \$100,000. Couri also indicated that they could not split the project to be under the \$100,000 minimum.

Miller made a motion to go out for bids for Chip Sealing of 125th to Hart & 140th Street with the alternate to include the cul-de-sacs to be opened at the April 11, 2016 regular meeting. Langenbacher seconded the motion. Motion carried unanimously.

Illsley Ave Project - Tabled from 2/12/2016 meeting

This project includes safety and sightline improvements at the intersection of 125th Street Illsley Ave.

Engineer Adam Thiele explained about the sightlines and narrow areas of the existing road stating the project would improve visibility by cutting back some of the hills and using that material to fill in low spots. Majority of the road is 20 feet wide or less we would be widening the road about four feet to allow room for vehicles to pass without collapsing the shoulder of the road or running off the road. He indicated that the DNR has been very helpful in allowing the township to use fill from the DNR property. Visibility will be increased from 225ft to more than 500ft.

Many residence in the audience felt it was too much money for not much of a change and a low traffic road. Others felt it could be done at a much lower cost making a few improvements on the intersection and corners. Blayne Leuthard felt there had to be cheaper alternatives then spending \$200,000. He felt the board could scale back the project. John Notsch said he has been against the project for the past year and a half and felt there had to be an alternative to spending over \$200,000, indicating there has been no record of any accidents. Fred Schafer stated that traffic isn't an issue he has drove the road for over 45 years and there is no reason you have to worry about meeting anybody because nobody uses the road he did not feel that they should spend any money on the road. Many residence thought they should look at alternatives to reducing the cost. Tim Mol stated although he does not live in the township he uses the road often and the issue is not the speed it is the tight hairpin turns where he can't see if other vehicles are approaching. It is a safety concern. Another resident that owns property near the intersection indicated that people fly around the intersection and with the sharp corners they can't see if someone is coming.

Township Attorney Mike Couri said its common for people not to want to spend money on a road where no one lives. But once it has been identified as a safety issue, the township could be liable. When you have a road that is not a safe road, my advice is if you can get it done at a reasonable price you do it, because you're going to have to do it at some point in time. As soon as you have an accident, you run the risk of being sued over something you knew was a problem but chose not to do anything about it.

With mixed feelings on the board Mol stated that the project had begun in 2013, and the township has put in a lot of time and resources to get to this point. Not everyone is going to be happy with the project, but there are residence that would like to see the project completed along with a letter that we received from M&M Bus service which stated that any improvement to make the roads safer for the students they were in favor of. Miller indicated that he felt there may be some room for improvement, however, he thought they should explore other alternatives and that they could get it done at a much lower cost. Langenbacher indicated that he has done a lot of research talking with the engineer, the DNR, & the township attorney. He stated that one of the primary duties of the township board is to consider roads needing improvement and to show progress in implementing those improvements. Langenbacher read a statement about his experience with the project noting the townships efforts to improve roads. He indicates that other roads that were considered prior to this one also brought opposition from local residents. Langenbacher felt there were several reasons this project should move forward including the fact that we have already received a permit for the project from the Army Corp of Engineers and acquired the Wetland Credits from the MN Board of Water & Soil Resources. In addition we have negotiated with the DNR and have received permission to take 15,000 cu. yds. of fill dirt from the adjacent DNR land at no charge.

Langenbacher made a motion to accept the bid from New Look Contracting Inc for the Illsley Avenue Reconstruction Project in the amount of \$194,308.00. Mol seconded the motion. Motion passed two to one with Miller opposing.

Orlyan & Pat Fisher/John Peterson – Application for Dedication of Cartway

John Peterson approached the board indicating that per the request of the Township attorney they are changing their request from a dedication to an application for a cartway. He then presented the board with a petition from Oralyn & Patricia Fisher, Lois L. Adams, & John K. Fisher for a 66ft wide public cartway. The purpose and necessity for this petition is to seek the establishment of a legal access that is 66 feet wide to a tract of property that is landlocked.

Township Attorney Mike Couri laid out the process for petitioning for a cartway to the board and stated that the first step is to have a resolution setting site inspection and public hearing for mandatory cartway. At that point notices will be delivered to interested parties as to when the public hearing will be held.

Miller made a motion to approve Resolution #2016-001 Setting Site Inspection and Public Hearing for Mandatory Cartway for 7:30 p.m. on April 11, 2016 at the Clearwater Town Hall located at 15015 State Highway 24, Clearwater MN 55320. Langenbacher seconded the motion. Motion passed unanimously.

Elaine Abendroth – Medical mobile home on property

Lynn Crandall approached the board regarding the need for a medical mobile home on her mother’s property located at 5198 160th St NW, Clearwater MN 55320. Lynn indicated that she has talked to Wright County and will be updating the septic & well to ensure they are up to code with serving the current home and mobile home.

Miller made a motion to approve the medical mobile home located at 5198 160th Street NW, Clearwater MN 55320 with the condition that they follow all County regulations. Langenbacher seconded the motion. Motion carried unanimously.

Spring Clean Up

Received some number from LaPlant regarding spring clean-up will confirm all numbers and have them ready for the town board at the April meeting. The date is set for Saturday May 21st from 8-12

Correspondence if Any:

- Spring Short Course – March 22nd 2016 – St. Cloud Holiday Inn – Bill & Jean
- Quarterly Township Meeting April 7th @ 7:30 pm @ Marysville Township meet at the town hall at 7pm if you plan on attending
- Board of Appeal & Equalization Meeting – April 26th 2016 @ 7:00 pm – Town Hall
- Junk complaint @ 8811 140th Street, South Haven – Langenbacher will stop and talk with property owner
- Weight restrictions are in effect 2/29/2016
- Bridge Inspections: 140th needs to have the deck drains cleaned & trees cut

ROAD MAINTENANCE REPORT- MIKE LUDENIA

*Ludenia received quotes for having a mowing service come in and maintain the yard; Sticks & Stones was at \$195.00 per time; Mark Logeais was at \$160 a time or \$2325 a year. He also received two quotes for lawn mowers: Kramer Sales was a Simplicity 27HP 61” cut for \$6000.00; M&M Sales was a Zmaster 23.5 HP Kawasaki 60” for \$7,199.258.

Miller made a motion to purchase the Simplicity from Kramer Sales for \$6,000.00. Langenbacher seconded the motion. Motion passed unanimously.

*Crack Filling Quote for Parking Lot & Grover; received a quote from Astech for \$1.75 per pound Ludenia thought it would not go over \$3,000.

Miller made a motion to go ahead with the crack filling on Parking Lot & Grover Ave not to exceed \$3,000. Langenbacher seconded the motion. Motion carried unanimously.

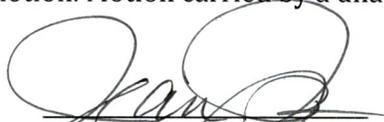
*Quote from Mares Excavating to clean ditches, dig out ditches & replace culverts on Hart & 120th Street.

Langenbacher made a motion approve quote for \$4,125 from Mares Excavating to replace culverts and clean/dig ditches along Hart & 120th street. Miller seconded the motion. Motion carried unanimously.

*Ludenia indicated that he will be talking with Borgeson on Hart regarding removing the willow trees so that they can put in a ditch in order to keep water off of Hart Avenue.

Review of Bills: A motion was made by Langenbacher and seconded by Miller to pay claims covered by checks #9569-9589 and eft 031116, eft 031416f, eft 031416p. Motion carried by a unanimous vote.

With no further business to come before the board, Langenbacher moved to adjourn Miller seconded the motion. Motion carried by a unanimous vote, the meeting was adjourned at 10:25 pm.


Jean M Just, Clerk


Dan Mol, Chair

Date 4/11/16