

Township of Helena Board of Supervisors  
Regular Monthly Meeting  
New Prague Ambulance Conference Room  
7:00 PM • June 2, 2016

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- Call to Order** The Regular Monthly Meeting of the Helena Township Board of Supervisors was called to order at 7:00 PM by Chair Nytes at the New Prague Ambulance Conference Room. The Pledge of Allegiance was said.
- Officers Present** Chair Ed Nytes, Supervisors John Wermerskirchen and Duane Deutsch, Treasurer Pat Lambrecht, Road Overseer Darryl Perkins and Clerk DeAnn Croatt.
- Also Present** Tom Johnson, Jeff Klehr, Dave and Steve Gerold, TJ Deutsch, Hannah Rybak, Carla Linderholm and Terry Maas.
- Minutes** On a motion by Deutsch/Wermerskirchen the Minutes were approved as presented; carried unanimously.
- Gerold Rezoning** The Gerold Family, represented by Dave and Steve Gerold, received favorable recommendation to rezone 2 to 3 acres to allow an Administrative Subdivision on a motion by Wermerskirchen/Deutsch; carried unanimously.
- Linderholm Rezoing** Hannah Rybak and Carla Linderhold, representing Carla Linderholm, Christine Connelly, Lynda Grouard, Mona Sharratt and Caroline Slagle, received favorable recommendation to rezone 73.42 acres from UTR to URTC for an Administrative Subdivision on a motion by Deutsch/Wermerskirchen; carried unanimously.
- Road Overseer Report**
1. Clerk gave Perkins a map where Center Point received utility permits for work on Koepper Avenue.
  2. Communication with MN Roadways (Reed Lindstrom) was informative about milling and overlay work. WCLD was chip sealed in 2012. Crack seal is needed on Koepper Avenue next year and SMB2 in 2018-2019. Perkins will work with Project Manager Nytes on Michelle and WCLD; motion by Deutsch/Wermerskirchen (2-0-1).
  3. Nelson will oversee Lucy Street, Hunter Ridge, MarDen and Mark Avenue overlays on a motion by Deutsch/Wermerskirchen; carried unanimously.
  4. The sign was replaced at 270<sup>th</sup> and Alton.
  5. Moved the Lucy Street sign.
  6. Dust coating is done except a callback for 270<sup>th</sup>.
  7. The missing sign in SMBE was replaced.
  8. Perkins will work with Deutsch on the sign by St. Benedict and 21.
  9. GSOC was called so the sign by the creek on Naylor can be reinstalled.
- Road Maintenance Report**
1. Klehr said the soft ground by the Ruhling farmplace on Naylor Avenue will improve with a little more grading.
  2. The work on 255<sup>th</sup> Street West can be completed for an estimated \$5k. Deutsch was appointed Project Manager on a motion by Wermerskirchen/Nytes; carried (2-0-1). The timing of the project (by Bastyr) will be dependent on weather and cropping as dirt may be land spread on site.
  3. 250<sup>th</sup> Street West (west of CR 15) ditch cleaning will enable the township to relocate the dirt to the ravine project in RSP2.
  4. Ditch work will be done on the cartway by the former Ray Schoenbauer property.
  5. Alton is 'muddy'; Klehr will try to regrade to help improvement road surface. Clerk will invoice the city for the annual maintenance fee.
  6. TJ Deutsch indicated ditch mowing went very well.
  7. Wermerskirchen viewed the ditch work following communication from Flemmings. It appeared to be

working properly. Wermerskirchen will follow up with property owners related to remarks about property stake location and the ledge. Wermerskirchen reminded officers of the apparent failing septic system to the east of the Flemming property and will try to ascertain if that is a factor.

## Old Business

**RSP2 Ravine** Right of Entry forms were signed, as were tree removal agreements for affected property owners. VonBank requested assistance, which will be paid by the property owner, to correct a small area of the bank downstream from the SWCD project.

**SMBE** Maas updated the board on RT Excavating progress. Trnka thought he would be done by now but vacation and rain delayed work. Trnka, Stasney and Quality Flow are scheduled to complete the remaining six systems NLT June 8<sup>th</sup>. Trnka is submitting the decommissioning paperwork as each system is finished. The shutoffs will be installed at the time of grinder installation. The outlot sale to the county is delayed due to land valuation. Mark Themig had support for \$35k; now staff is offering \$19k. The expenses to be covered by this land sale are over \$29k. Maas, Nytes and county staff will meet 3:00 PM June 22<sup>nd</sup> at the highway garage to negotiate the purchase price.

Maas also reported on the SCALE meeting which included county sheriff staff and city police.

**240<sup>th</sup> Street** Bohn electronically expressed disappointment to the Clerk about the height of the Silver Maple trees and having two posts, instead of three, at fence corner. The project was reviewed and it was determined work was completed as agreed upon.

## New Business

**Township Legal Seminar** Reports were provided by attendees Nytes, Deutsch, Lambrecht and Croatt:

1. Road Realignment by Michael Couri
  - a. Statute 164.07 for realignment
  - b. ROW Statute 160.05
2. Road Improvements by Shane Nelson
  - a. Life cycle costs for bituminous vs. gravel typically show it's feasible to use a bituminous surface if the traffic exceeds about 150 vehicles/day
  - b. Perkins received a copy of a typical road section so he can apply standards to driveway permits
3. Capital Improvement Plans by Shane Nelson
  - a. Average cost of 1 mile of paved roadway: \$500k to \$650k
  - b. Asphalt generally has a 20 year lifespan
  - c. Perkins will work with Nelson on an Improvement Plan for all township hard surfaced roads; once developed, it will be reviewed annually
  - d. Local Road Research Board (LRRB) has a helpful website
4. Obstructions in ROW by Shane Nelson
  - a. Headwalls are considered obstructions on roads with speed limits greater than 30 MPH
5. Contracts by Michael Couri
  - a. Bids are required for projects at \$100k or greater
  - b. Standard bidding is imperative
6. The Next Housing Boom by Bob Ruppe
  - a. Always have a Developer's Agreement
  - b. The Letter of Credit must be \$125% of project estimate and needs to automatically renew

7. Certifying Township Costs to Property Taxes by Michael Couri
  - a. 366.012 for collection of unpaid services
  - b. Certify by October 15<sup>th</sup>
8. Tax Reimbursements from Annexation by Michael Couri
  - a. Laws may change; attorneys recommend not revising OAs at this time
  - b. 365.025
  - c. 414.07
  - d. 414.0325
  - e. 414.0325
9. Subordinate Service Districts by Bob Ruppe and Bridget Chard
  - a. SMBE SSD may be dissolved only after everything is decommissioned
  - b. Chard made process seem 'easy & fun' which was misleading
10. Encroachments by Bob Ruppe
  - a. 541.051
  - b. 169.11
11. General Information
  - a. Roads 164.02
  - b. Recording roads: 164.36
  - c. Traffic control: 169.04
  - d. Signs: 169.06
  - e. Closing a road: 164.152
  - f. Approaches and culverts: 160.18
  - g. Trees/Brush/Weeds: 160.22, 160.232, 366.02
  - h. Closing barricade: 164.152
  - i. ROW Prohibited Use: 160.2715
  - j. Mowing limitations: 160.232

- Unpaid Fire Calls**
1. Mary Blumhoefer \$500 for a car fire
  2. Spencer McWilliams \$250 for a car accident
  3. Justin Prondzinski \$250 for an accident call

**Certificates of Insurance** The following contractors provided Certificates of Insurance: Thomas John Deutsch and Klehr Grading Inc.

**Election** Nytes will follow up with NP Rural Fire for approval to hold elections in the fire hall, especially the General as the turnout is predicted to be higher than normal.

<b>Receipts</b>	5/5/2016	\$	500.00	Kathleen Reed	Jordan Fire Call
	2/15/2016	\$	228.49	Round Bank	Interest
	5/23/2016	\$	35.84	Round Bank	Interest
	5/31/2016	\$	3.39	State Bank	Interest
	5/31/2016	\$	20.20	State Bank	Optima Interest

**Payment of Bills** On a motion by Wermerskirchen/Deutsch bills #5489-5507 were paid; carried unanimously.

5489	\$	4,600.00	Klehr Grading & Excavating, Inc.	Grade
5490	\$	8,224.45	Art Johnson Trucking Inc.	Haul/Spread
5491	\$	22,732.89	Bryan Red Rock	Redrock
5492	\$	12,985.57	Envirotech	Calcium Chloride @\$1.01/gal

5493	\$ 109.44	SW News Media	Assessment Notice
5494	\$ 1,525.00	TJ Deutsch	Road Ditch Mowing
5495	\$ 19,800.00	Scott County Treasurer	2016 Assessment Contract
5496	\$ 6,721.10	Union Trail Aggregates LLC	Class 5 at \$5/ton
5497	\$ 505.00	MPCA	2015 fee for SMBE SSD
5498	\$ 220.00	Steve Rynda Const. & Landscape	RSP2 Park Mowing
5499-5504	\$ 11,698.45	Officers/Employee Quarterly Payroll	Mtg., wage, reimbs, labor
5505	\$ 3,494.93	US Treasury	Federal Withholding and Match
5506	\$ 648.25	MN Dept. of Revenue	State Withholding and Match
5507	\$ 1,273.50	PERA	DCP

**Treasurer's Report**

Treasurer Lambrecht distributed the Treasurer's Report. On a motion by Wermerskirchen/Deutsch the report was accepted as presented; carried unanimously.

**Meeting Adjourned**

On a motion by Deutsch/Wermerskirchen the meeting was adjourned; carried unanimously.

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Respectfully Submitted by Clerk DeAnn Croatt

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Chairman Ed Nytes