

Credit River Township

Meeting Minutes

September 5, 2006

Call to Order

Chairman Dan Casey called the meeting to order at 7:10 pm.

Members Present

Chairman Dan Casey, Supervisor Leroy Schommer, Supervisor Bruce Nilsen

Others Present:

Township Clerk Jerry Maas, Township Attorney Bob Ruppe, Township Engineer Jeff Elliott, Township Treasurer Holly Batton

Minutes of the previous meeting:

Chairman Dan Casey called for Clerk Jerry Maas to review the draft minutes of the August 7, 2006 meeting.

Supervisor Leroy Schommer offered a motion to accept the minutes as read. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 - 0.

Treasurers Report

Treasurer Holly Batton presented the treasurers report for July 2006.

Treasurer Batton also presented a request that the board approve a proposal to move the Turn Lane-By Pass / Lot Fee funds to a CD account. Supervisor Bruce Nilsen offered a motion to approve this request, Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 - 0.

Supervisor Leroy Schommer made a motion to approve the treasurer's report as presented, Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 - 0.

Treasurer Batton also presented a request to transfer \$90,000 from savings to the checking account. Supervisor Bruce Nilsen made a motion to approve this request, Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 - 0.

Sheriff's Report

Deputy Bryan Cade presented the report for August. There were 139 calls for the month. There was a discussion of the "No Soliciting" ordinance adopted last year by the Township. Deputy Cade encouraged residents to call the sheriff's office to report violations.

Resident's Group Report

No report this evening.

Open Forum

- a. Tim Bendel asked about road damage on Oak Grove caused by heavy equipment doing landscaping for residents on the street. Chairman Casey noted that these items will be added to the punch list before the road is accepted from the developer by the Township.

Resident Jerry Michaels asked why the contractors causing the damage can't be held responsible. It was noted that unless the incident is witnessed, it is difficult to prove who is responsible.

- b. Supervisor Bruce Nilsen noting that some of the escrow accounts were not being kept as current as the Township would like, asked if we can deny developers from requesting appearances before the Town Board if escrow accounts are in default. Attorney Ruppe indicated that this could be done as long as the developer was not in the plat approval process where time limits are specified for the government agency to act upon a request. He suggested that in the future, he review these on a case by case basis. Clerk Jerry Maas will review with Attorney Ruppe when requests come forward. .
- c. Supervisor Bruce Nilsen asked if signage might be appropriate to advise residents that overnight parking is not allowed. Discussion indicated that the incidence of this violation is small and declining. We will watch and make a determination at a later date.
- d. Treasurer Holly Batton asked if the Scott View Estate Homeowner's Association could use the Town Hall for a meeting on October 9th. The Board gave its approval.

Agenda Items

Noting the scheduled time on the agenda, Chairman Dan Casey called for a motion to recess the regular meeting in favor of re-opening the 2006 Annual Meeting as scheduled. Supervisor Bruce Nilsen so moved, Supervisor Leroy Schoomer offered a second, all in favor, motion carried 3 – 0.

1. Re Convene the Annual Meeting to Discuss 2007 Tax Levy Amounts

Chairman Dan Casey re-opened the Annual Meeting and called on Resident Tim Bendel to re-assume his position as moderator for the meeting.

Mr. Bendel then called on Treasurer Holly Batton to present the recommendations.

It was noted that in order to be eligible for State Gas Tax monies, the Township would need to levy a minimum of \$312,680.00 for the Road and Bridge Account. It was also noted that the City of Prior Lake has sent us the estimated amount of the Fire Contract for 2007. That amount will be \$136,472.00 to be paid in 2 installments. It was Treasurer Batton's recommendation that these two amounts be considered as the levy amounts for 2007 for the Road and Bridge Fund and the Fire Fund.

There was considerable discussion regarding the General Fund with the sentiment of the residents being not to levy too little and be in a position not to provide necessary services as required. It was noted that in recent years, the Township had spent some of the reserve funds to meet necessary expenses and the residents were not to continue to deplete these reserve funds.

It was also noted that since the Township is contemplating Incorporation, some funds ought to be provided for this effort. The residents also expressed confidence that the Town Board would exercise every opportunity to be vigilant when questions arose regarding the actual expenditure of the funds collected.

With this in mind, resident Ruth McLeod made a motion to set the levy at \$808,734.00 an increase of 21%. Resident Carolyn Schulte offered a second to this motion.

After additional discussion, resident Bruce Nilsen was of the opinion that this increase was insufficient and suggested that we increase the General Fund by \$100,054 which would result in a total levy increase of 25% and with Ruth McLeod's permission proposed this in the form of an amendment to Ruth McLeod's original motion to set the total Levy Amount at \$834,152.00. Resident Alden Starkey offered a second to this amendment.

Mr. Bendel called for a vote on the amended motion and it passed unanimously by voice vote.

In that there was no further business before the Board relative to the Annual Meeting, Mr. Bendel called for a motion to close the Annual Meeting. Resident Jay Saterbak so moved. Resident Alden Starkey offered a second, all in favor, motion passed by voice vote.

The Annual Meeting was closed.

Supervisor Leroy Schommer made a motion to re-open the regular monthly meeting. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

Chairman Dan Casey called the monthly meeting to order.

2. Engineers Report

a) Jim Koesting – Brawn Development – Request Reduction in Letter of Credit Amount for Thoroughbred Acres

Engineer Jeff Elliott presented some information regarding progress on Thoroughbred Acres, a project currently being developed by Brawn Development.

Mr. Elliott noted that the developer has completed 80% of the required grading of the roads in the project is recommending that the Letter of Credit be reduced to \$273,196.

The Board felt this request is premature. Supervisor Bruce Nilsen made a motion to deny the request at this time. Supervisor Leroy Schommer offered a second, all in favor motion carried.3 – 0.

The Board indicated it would entertain the request at the October meeting should the developer decide to re-submit the request at that time.

b) On-Site Marketing – Request Reduction in Letter of Credit Amount – Cress View Estates

Engineer Jeff Elliott presented some information regarding the progress of Cress View Estates, a current project being developed by On-Site Marketing.

Engineer Elliott is recommending that the Letter of Credit be reduced to \$154,502.

Noting that the escrow account is not current, Supervisor Bruce Nilsen recommended that we reserve an additional \$10,000..

Supervisor Leroy Schommer made a motion to accept Mr. Elliott's recommendations along with Supervisor Nilsen's suggestion to set the Letter of Credit requirement at \$165,000.00. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

c) Pay Request Bohnsack & Hennen – County Road 75 Repairs

Engineer Jeff Elliott reported that he had received copies of tickets for material delivered to the construction site for this project and that he was satisfied with the workmanship.

Supervisor Leroy Schommer made a motion to approve the pay request in the amount of \$36,039.74. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

d) Discuss Project Extension – Stonebridge Estates

Minnesota Development Agency is requesting an extension of the required completion date of 10/7/06 for the Stonebridge Estates Project. They are asking for a one year extension. Chairman Dan Casey asked Attorney Bob Ruppe for an opinion on this request. Attorney Ruppe suggested that the request was appropriate and recommended that the Board approve this request.

Chairman Dan Casey offered a motion to approve this request. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0..

e) Broadview Drive Cul de Sac

Engineer Jeff Elliott reported that this project had been completed to the Township's satisfaction. The contractor is currently working on restoration.

f) MVEC Underground Utilities

Engineer Jeff Elliott reported that he negotiated an additional reduction of \$250 in the costs required to install underground electrical service at the Town Hall.

8) Krieger Project

This resident has established an escrow account in the amount of \$1500 as well as providing a signed easement. To date we have not received the necessary Letter of Credit.

9) Harvest Hills

Engineer Jeff Elliott is working with the developer, On-Site Marketing to get the required chip sealing work completed.

Chairman Dan Casey noted that he would like to see resolution before the Letter of Credit expires.

Other Business

1) Approve List of Election Judges

Clerk Jerry Maas presented a list of recommended election judges for the 2006 Primary and National Elections.

Supervisor Leroy Schommer made a motion to approve the list as submitted. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 - 0

2) Review NPDES Escrow Procedures

Treasurer Holly Batton noted that the current procedure of holding checks for part of the NPDES escrow on smaller projects was not working very well. Supervisor Bruce Nilsen made a motion to set the escrow amounts at \$1000 for smaller projects and \$2000 for larger projects including new home construction and that we no longer hold checks.

Supervisor Leroy Schommer offered a second to this motion, all in favor, motion carried 3 – 0.

3) Discuss Request by Eaglecreek Development to recognize warranty start date for Stoneridge Project

Developer John Mesenbrink seeks to establish a start date for the warranty period on the road for this project. The 2nd lift was applied on June 29, 2006. Attorney Ruppe suggests that we check the developer's agreement for clarification on the matter.

Supervisor Bruce Nilsen also recalls the developer agreeing to a 3rd year of warranty in exchange for permission to apply the first lift of the roadway after the frost period.

Attorney Bob Ruppe will research the questions and get back to the board.

4) Liberty Creek Project

Attorney Ruppe noted that the county board had given the developer Preliminary Plat Approval subject to several conditions, one of which involved placing a barricade on a township road. He noted that Scott County is not the recognized road authority and that the Township ought to review this condition to insure that it meets their requirements.

The Board was of the opinion that a temporary cul-de-sac would be more appropriate. Supervisor Bruce Nilsen made a motion to require a temporary cul-de-sac. Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 – 0.

5) Minnesota Valley Electric Sub Station

Clerk Jerry Maas noted that in his opinion, MVEC had done an outstanding job in meeting the intent to keep this installation as obscure as possible. The berming and landscaping so far are excellent. He is recommending that the Town Board send a letter to MVEC commending them for their efforts.

The Board agreed and signed the draft letter that Clerk Maas prepared.

Review and Pay Bills

The Town Board approved the following claims for payment:

8/14/2006	3278	MVEC	Town Hall Electricity	\$	58.09
8/14/2006	3279	MVEC	South Passage Lift Station	\$	45.72
8/14/2006	3280	MVEC	Monterey Heights Lift Station	\$	57.83
8/14/2006	3281	Integra Telecom	Phone Service	\$	358.41
9/5/2006	3282	Stonebridge Homes	NPDES Refund	\$	2,560.00
9/5/2006	3283	Jeff Hickok	NPDES Refund	\$	470.00
9/5/2006	3284	Lundgren Bros	NPDES Refund	\$	1,720.00
9/5/2006	3285	Lundgren Bros	NPDES Refund	\$	1,470.00
9/5/2006	3286	Lundgren Bros	NPDES Refund	\$	1,730.00
9/5/2006	3287	Laurent Builders	NPDES Refund	\$	2,774.25
9/5/2006	3288	Burdick Builders	NPDES Refund	\$	1,490.00
9/5/2006	3289	McWilliams & Associates	NPDES Refund	\$	1,660.00
9/5/2006	3290	Chas Cudd Homes	NPDES Refund	\$	1,810.00
9/5/2006	3291	Jennifer Simon	NPDES Refund	\$	460.00
9/5/2006	3292	A Maas Construction	NPDES Refund	\$	470.00
9/5/2006	3293	Tim Hasse	NPDES Refund	\$	1,990.00
9/5/2006	3294	J B Woodfitters	NPDES Refund	\$	2,765.25
9/5/2006	3295	Rock Creek Builders	NPDES Refund	\$	1,003.00
9/5/2006	3296	Metro Prairie Homes	NPDES Refund	\$	1,610.00
9/5/2006	3297	James/Kari Schwartz	NPDES Refund	\$	480.00
9/5/2006	3298	K A Witt Construction	NPDES Refund	\$	1,127.00
9/5/2006	3299	Scott/Mary Weyer	NPDES Refund	\$	490.00
9/5/2006	3300	Rock Creek Builders	Culvert/Access Refund	\$	1,200.00
9/5/2006	3301	J B Woodfitters	Culvert/Access Refund	\$	600.00
9/5/2006	3302	Laurent Builders	Culvert/Access Refund	\$	1,200.00
9/5/2006	3303	Lecy Construction	Culvert/Access Refund	\$	600.00
9/5/2006	3304	Burdick Builders	Culvert/Access Refund	\$	600.00
9/5/2006	3305	Vogue Homes	Culvert/Access Refund	\$	295.00
9/5/2006	3306	McWilliams & Associates	Culvert/Access Refund	\$	1,700.00
9/5/2006	3307	UTI	Culvert Mapping - July	\$	1,130.56
9/5/2006	3308	Scott County Treasurer	NPDES Permit Consulting	\$	3,282.58
9/5/2006	3309	Hakanson Anderson	Engineering	\$	21,280.11
9/5/2006	3310	Dennis Karow	Parks Mowing/CSTS Mowing	\$	4,244.03
9/5/2006	3311	Art Johnson Trucking	August Road Maintenance	\$	1,749.00
9/5/2006	3312	Scott Soil & Water Cons Dist	July NPDES Inspections	\$	4,460.00
9/5/2006	3313	Jerry Maas	August Expenses	\$	368.78
9/5/2006	3314	Couri Macarthur & Ruppe	August Legal Expenses	\$	3,531.25
9/5/2006	3315	Dustcoating Inc	County Road 75 Dust Treatment	\$	858.50
9/5/2006	3316	Center Point Energy	Town Hall Gas Bill	\$	10.33
9/5/2006	3317	Private Underground	July Utility Locates	\$	136.00
9/5/2006	3318	Xcel Energy	St Francis Street Light	\$	12.25

9/5/2006	3319	LCS	Cleanup Old Playground Equip.	\$	1,955.00
9/5/2006	3320	One Call Services	General Locate Services - July	\$	20.30
9/5/2006	3321	Lloyd Excavating	Casey/Crkwd Park Landscaping	\$	5,109.56
9/5/2006	3322	Holly Batton	August Expenses	\$	227.93
9/5/2006	3323	Leroy Schommer	August Expenses	\$	67.80
9/5/2006	3324	Dan Casey	August Expenses	\$	76.70
9/5/2006	3325	Bruce Nilsen	August Expenses	\$	108.74
9/5/2006	3326	Holly Batton	Services as Treasurer	\$	1,319.72
9/5/2006	3327	Dan Casey	Services as Supervisor	\$	563.33
9/5/2006	3328	Jerald R Maas	Services as Clerk	\$	2,955.20
9/5/2006	3329	Bruce Nilsen	Services as Supervisor	\$	840.38
9/5/2006	3330	Void		\$	-

Adjourn

There being no further business before the Town Board, Supervisor Leroy Schommer made a motion to adjourn, Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 - 0. The meeting adjourned at 10:50 pm.

Submitted By: (s/) Jerald R. Maas
Township Clerk
Credit River Township

Approved By:(s/) Dan Casey
Chairman Board of Supervisors
Credit River Township