

Credit River Township

Meeting Minutes

November 5, 2007

Call to Order

Chairman Dan Casey called the meeting to order at 7:00 pm.

Members Present:

Chairman Dan Casey, Supervisor Leroy Schommer, Supervisor Bruce Nilsen

Others Present:

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

Meeting Minutes

Chairman Dan Casey asked Clerk Jerry Maas to summarize the minutes from October 15, 2007.

Supervisor Bruce Nilsen requested that we change the date for review of the Snow Plowing plans to June of next year rather than July.

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

Sheriff's Report

Deputy Turek presented the report for the month of October. He noted that there were 15 vandalism complaints, an unusually high number. Total calls for the month amounted to 123.

Supervisor Bruce Nilsen asked if the deputies were required to wear reflective clothing. Deputy Turek indicated that policy is that they are required to wear this gear, however in certain situations emergency response does not allow time to retrieve the gear out of the trunk.

Open Forum

Resident Carolyn Schulte asked if the supervisors were required to pick up the garbage along the road. Supervisor Casey noted that in his view this is one of the responsibilities of the supervisors.

Agenda Items

1) Discuss Draft Orderly Annexation Agreement with the City of Prior Lake and the Process Going Forward

Attorney Bob Ruppe has prepared a draft Orderly Annexation Agreement (OAA) between the City of Prior Lake and Credit River Township for approximately 44 acres of land along 170th Street. He presented this to the Board and suggested that they review the OAA and that we schedule a more in depth discussion at the next Township meeting.

Attorney Ruppe called attention to the item relating to "Tax Reimbursement Policy" and noted that we may want to develop such a policy.

Also he noted that in Section 8, he was trying to insert some of the restrictions on how this land would be used in harmony with the requests of the adjacent residents that have been present at recent meetings.

Mr. Ruppe also noted that he had discussions with Steve Albrecht, city engineer for Prior Lake and that he had received some zoning information from him. Mr. Ruppe also noted that discussions he had with Prior Lake indicated that there was some interest in putting a gas station or convenience store on the parcel closest to 185th Street and he wanted direction from the board as to how to respond on this item.

He was also asking for direction as to the language pertaining to the subject of incorporation. He asked if the board wished to insert language pertaining to how much support the City of Prior Lake might be willing to offer in assisting Credit River's Incorporation efforts. He is suggesting that the Board give some thought to both of these items and that further discussion could take place at our next meeting.

Resident Lee Karow asked the supervisors if they would be in favor of a gas station on these parcels. Supervisor Leroy Schommer indicated that he was against it, Supervisor Dan Casey indicated he was against it. Supervisor Bruce Nilsen noted that if this became a "deal breaker" he would want to study it further.

Resident Michelle Licke asked if the drainage issues related to Markley Lake will be addressed either as a part of this plan or separately as the existing business park is renovated. Attorney Bob Ruppe indicated that he would look into this.

Resident Lee Karow asked if a listing of the proposed zoning for the property might be made available to the residents. Attorney Ruppe suggested that copies of the entire agreement be presented to the residents after the next revision.

Resident Grant Cassem noted that setbacks are very important. He felt that placing these buildings too close to the property lines of the Whitewood Ave residents is critical. He also felt that high-powered lights and no screening would also be objectionable.

2) Engineer's Report

a) Discuss Engineer's Town Hall hours

Engineer Jeff Elliott noted that with less development, he was planning on reducing the amount of time he spends here at the Town Hall. It is his plan to be here on Tuesday mornings only for the immediate future.

b) Territory CSTS No. 1 – Mound Weeping Timeline

Engineer Jeff Elliott indicated that he would be at the Territory project in the morning to work further on this problem.

Supervisor Casey stated that there is a need to make progress on resolving this problem because it has gone on far too long.

c) Stonebridge Update

Engineer Jeff Elliott presented an update on the Stonebridge project. He noted that the bridge that was a pre-requisite to starting the warranty on the project has now been completed and he submitted pictures of the bridge. The Board expressed concerns that the structure did not appear to be structurally sound and they instructed Engineer Elliott to insure that the railing meets safety standards.

There was considerable discussion relative to the construction and placement of the split rail fence and consequently the Board felt further discussion was warranted and as a result this topic was tabled until the next meeting. Hence, the warranty period still has not begun.

d) Prior Lake Wellhead – Review Summary

Engineer Elliott reported that the Township has been asked by the City of Prior Lake to comment on their Wellhead Protection Plan. He indicated that he had written a letter to the City of Prior Lake with comments.

He noted that the Plan calls for extensive work with the Township staff to educate our officials and that we could expect to hear more on this in the future.

e) Comprehensive Plan Financing Plan Update

Engineer Elliott noted that at the last meeting he had asked for additional funds to finalize the work on the Engineering components of the Credit River Comprehensive Plan.

After some discussion, Supervisor Leroy Schommer made a motion to approve the request for an additional \$5200 to bring the total authorized amount to \$40,560. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

Attorney Bob Ruppe suggested that we submit another copy of our Draft Comprehensive Plan to Scott County for another review and ask for additional comments.

Engineer Jeff Elliott has been in touch with the Met Council and found that interest free loans are available to assist communities in preparing their comprehensive plans.

He presented the following Resolution for the Board's consideration to request this funding from the Met Council.

**CREDIT RIVER TOWNSHIP
SCOTT COUNTY
STATE OF MINNESOTA
RESOLUTION 2007- 06**

**RESOLUTION AUTHORIZING APPLICATION TO THE
METROPOLITAN COUNCIL FOR A LOCAL PLANNING
ASSISTANCE LOAN TO ASSIST WITH THE 2008
COMPREHENSIVE PLAN PREPARATION**

WHEREAS, the Metropolitan Land Planning Act requires cities in the metropolitan area to submit and update their comprehensive plans every ten years and,

WHEREAS, the Metropolitan Council has created a local planning assistance loan program to assist local government units in the metropolitan area in implementing the Metropolitan Land Planning Act and,

WHEREAS, at it's November 5th, 2007 meeting the Town Board requested that staff prepare a local planning assistance loan application and,

WHEREAS, the Township expects to spend in excess of \$ 40,000.00 on consultants to assist with the 2008 Comprehensive Plan and seeks a two-year, zero interest loan to cover these expenses,

NOW, THEREFORE BE IT RESOLVED, by the Town Board of Credit River, Minnesota, that the Board supports application to the Met Council for a Local Planning Assistance Loan in the amount of \$ 40,000.00.

Adopted by the Town Board of Credit River Township, Scott County, Minnesota, this 5th day of November 2007.

Dan Casey, Chairman

Attest:

Jerald R. Maas, Town Clerk

Supervisor Bruce Nilsen made a motion to adopt this resolution, Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 – 0

f) Cedarwood Estates

Engineer Elliott noted that as requested at the last meeting he has sent a letter to Mr. Glenn Klotz, the developer as regards the easement the Township is requesting.

g) Loehr Ridge

Engineer Elliott noted that he had received an email from the Scott County Community Development Department indicating that the developer is considering a major change in the approved preliminary plat having to do with the access to the four industrial lots and the one existing residential lot.

Chairman Dan Casey asked that the developer be required to obtain the right away for Casey Blvd south of 21.

Chairman Casey also noted that the township does not have escrow money to cover expenses incurred in the review process and they instructed Engineer Jeff Elliott to contact Scott County Community Development to discuss this situation.

3) Annual Review of MVEC Conditional Use Permit (CUP)

The Town Board asked Ron Jabs of Minnesota Valley Electric to appear before the board to review the Conditional Use Permit (CUP) granted last year to MVEC for the operation of an electrical Sub Station on Texas Ave north of County Road 21.

Engineer Elliott indicated that his inspector has checked the site and the only thing he noted was that there are 3 dead trees that need to be replaced.

Mr. Jabs indicated that they are planning on replacing these trees as soon as the ground dries enough to allow equipment to drive on it. He thought this would be possible that the trees would be replaced in the next 3 – 10 days.

Supervisor Leroy Schommer noted that the project turned out very well and that we've received no complaints.

Engineer Elliott noted that the county right away immediately adjacent to the project on the west is subject to damage and unfortunately, MVEC has no control. Mr. Jabs indicated that this is the only site in the county where this is a problem.

The Board thanked Mr. Jabs for coming and indicated that we would review the project again next November. We will decide at that time if a personal appearance will be required.

4) Other Business

a) Update on Cress View Estates Easement

At the last meeting attorney Bob Ruppe was asked to investigate several issues:

1) Plans for Casey Blvd.

Mr. Ruppe indicated that he had been in contact with Marty Schmitz at Scott County Community Development and that he does have plans for the road.

Resident Dan Casey noted that the request was for “designs”. Attorney Ruppe will seek additional info as to the “designs”.

2) Drainage Problem

Mr. Ruppe indicated that he had not yet had a chance to work with Engineer Jeff Elliott to investigate the possible drainage problem coming from Cress View Estates on to the Casey property

3) Contact the Casey Family Attorney

Mr. Ruppe stated that he had not had an opportunity to contact the Casey Family attorney in an attempt to seek a resolution of this dispute. He did talk to the attorney for the developer.

4) Request copies of County Charges to On Site Marketing

Mr. Ruppe noted that he felt it inadvisable to pursue this item at this time.

b) Discuss County Transportation Improvement Plan (TIP) and process for submitting comments

Scott County sent out copies of the TIP and asked for comments by 11/16/07. The board had the following comments

- 1) County Road 27 should be the main route through the intersection of 44.
- 2) The proposed roundabout at the intersection of County 68 and County 91 should be reviewed in light of plans to potentially turn this road back to the township.
- 3) The “new County Road 68” is not shown.
- 4) Should plans for demolition of the building at the intersection of County Road 68 and County Road 27 be included in the TIP?
- 5) Why isn't County Road 68 shown as a through route to State Highway 13?

Engineer Jeff Elliott was asked to compose a letter to the county incorporating the Boards comments and review with Supervisor Bruce Nilsen before sending

c) Discuss authorizing Attorney Bob Ruppe to find a consultant to begin cost projection for implementing our Comp Plan (Infrastructure)

In that we now have a Working Draft Comprehensive Plan completed, Clerk Jerry Maas had previously discussed with Attorney Bob Ruppe whether it was time to begin to do some analysis of the cost implications of implementing this plan

Attorney Ruppe noted that he has a consultant in mind that will be able to assist the Township in answering these questions.

The board asked Attorney Ruppe to schedule a workshop meeting prior to the next Town Board meeting.

d) Discuss Draft Snow Plowing Contract for 2007 – 08

At our previous meeting the Town Board approved the snowplowing proposal submitted by Art Johnson Trucking to plow township roads this winter season. The approval was contingent on Johnson Trucking entering into a contract with the Township to perform these services.

Attorney Bob Ruppe prepared a draft contract proposal and presented this to the Board.

The board suggested a number of changes that Attorney Bob Ruppe noted.

Supervisor Bruce Nilsen made a motion to approve the contract with the noted changes and attorney review after Johnson Trucking submits their comments. Supervisor Leroy Schommer offered a second, all in favor, motion carried. 3 – 0.

e) Treasurer Holly Batton – Questions on CSTS Monthly Billing

Treasurer Holly Batton had some questions relative to the billing procedures used in the monthly wastewater billing process. Specifically,

1) EcoCheck Billing issues

Treasurer Holly Batton is uncomfortable in paying these claims based on the lack of detail provided.

Supervisor Bruce Nilsen inquired as to the difference in hourly rates of EcoCheck employees, Ryan Brandt and Steve Kokesh.

Chairman Dan Casey made a motion to require the vendor to provide the detail that the Township requires to properly assign the charges. Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 – 0

2) Insufficient funds

The board approved a policy that will certify all delinquent charges to the tax rolls after 30 days notice to the property owner has been given.

f) EcoCheck – Request authorization to purchase second spare pump

Engineer Jeff Elliott noted that wastewater operator Ryan Brandt has requested authorization to purchase a second spare pump for the CSTS systems.

Supervisor Leroy Schommer made a motion to authorize Treasurer Holly Batton to notify EcoCheck that the Board would authorize purchasing a second pump providing EcoCheck submit a copy of the invoice from the manufacturer/distributor. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

g) Approve 2008 Meeting Schedule

Clerk Jerry Maas presented a proposed meeting schedule for 2008 and asked that the Board approve it in order that we may post and publish.

Review and Pay Bills

The Town Board approved and paid the following claims:

10/30/2007	EFTPS07oct		941 Taxes - October	\$	1,334.79
11/5/2007	4060	Dennis Karow	Park Lawn Care/Cut Noxious Weeds	\$	1,192.80
11/5/2007	4061	ECM Publishers	Legal Advertising -Lakeville	\$	467.75
11/5/2007	4062	SW Suburban Publishing	Legal Advertising-Prior Lake	\$	511.27
11/5/2007	4063	Art Johnson Trucking	Oct 2007 Road Maint	\$	2,516.00

11/5/2007	4064	MAT Insurance & Bond Trust	2008 Workers Comp	\$	481.00
11/5/2007	4065	MVEC	Town Hall Electricity	\$	68.53
11/5/2007	4066	MVEC	Monterey Hgts Lift Station	\$	37.67
11/5/2007	4067	MVEC	South Passage Lift Station	\$	50.52
11/5/2007	4068	Gary/Lori Olsen	NPDES Refund	\$	1,880.00
11/5/2007	4069	CenterPoint Energy	Town Hall Gas	\$	11.83
11/5/2007	4070	Castle Rock Materials	Class Five Rock	\$	5,458.44
11/5/2007	4071	Scott Soil & Water Conservation	September NPDES Inspections	\$	2,094.00
11/5/2007	4072	Yorway Custom Homes	Refund Overpayment of Bldg Permit	\$	450.00
11/5/2007	4073	Xcel Energy	St Francis Street Light	\$	12.18
11/5/2007	4074	Minnesota Association of Twps	Legal Conference - Clerk	\$	140.00
11/5/2007	4075	Minnesota Association of Twps	Annual Conference- Clerk	\$	145.00
11/5/2007	4076	One Call Concepts	General Locate Services	\$	17.40
11/5/2007	4077	Rob Drews	Refund Escrow - Lot Split	\$	80.51
11/5/2007	4078	Mike's Septic	Town Hall Tank Pumping	\$	215.00
11/5/2007	4079	Jacques Whitford EcoCheck	September 2007 CSTS O & M	\$	4,300.16
11/5/2007	4080	Hakanson Anderson Assoc	September 2007 Engineering	\$	14,001.41
11/5/2007	4081	Couri MacArthur & Ruppe	October 2007 Legal Expenses	\$	1,852.50
11/5/2007	4082	Jerry Maas	October 2007 Expenses	\$	329.35
11/5/2007	4083	Holly Batton	October 2007 Expenses	\$	72.14
11/5/2007	4084	Leroy Schommer	October 2007 Expenses	\$	5.82
11/5/2007	4085	Bruce Nilsen	October 2007 Expenses	\$	55.07
11/5/2007	4086	Dan Casey	October 2007 Expenses	\$	25.22
11/5/2007	4087	Holly Batton	Services as Treasurer	\$	1,766.21
11/5/2007	4088	Dan Casey	Services as Supervisor	\$	761.89
11/5/2007	4089	Jerald Maas	Services as Clerk	\$	3,393.86
11/5/2007	4090	Bruce Nilsen	Services as Supervisor	\$	789.59
11/5/2007	4091	Leroy Schommer	Services as Supervisor	\$	941.97

Adjourn

There being no further business before the Town Board, Supervisor Bruce Nilsen made a motion to adjourn, Supervisor Leroy Schommer 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