

Credit River Township
Meeting Minutes
March 3, 2008
Board of Audit

Chairman Dan Casey called the Board of Audit to order at 6:10 pm

Members Present: Chairman Dan Casey, Supervisor Leroy Schommer, Supervisor Bruce Nilsen, Clerk Jerry Maas, Treasurer Holly Batton

Treasurer Holly Batton noted the requirements of the Board of Audit.

She also presented copies of the Treasurer's summary of the orders paid and receipts. Clerk Jerry Maas presented copies of the orders paid and receipts log maintained by the Clerk for the year 2007. These records were consistent and the total expenditures and receipts were in agreement.

The Board then asked that representative claim forms be pulled and verified as to amounts invoiced, paid and reconciled to the bank statement.

All records were properly documented and found to be in order.

Supervisor Bruce Nilsen made a motion to adjourn the Board of Audit, Supervisor Dan Casey offered a second, all in favor, motion carried. The meeting adjourned at 6:40 pm

Regular Monthly Meeting

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 February 19, 2008.

Treasurer Holly Batton noted that the minutes needed to reflect that the meeting adjourned at 10:10. Supervisor Bruce Nilsen made a motion to approve the minutes with the correction. Supervisor Leroy Schommer offered a second, all in favor, motion carried
3 – 0

Sheriff's Report

None this evening

Open Forum

None this evening.

Agenda Item 1 – Ted Kowalski – On Site Marketing – Cress View Estates Billing

Attorney Justin Weinberg, representing On Site Marketing inquired as to the progress the Town Board had made regarding the billing question raised at the last meeting. He also noted that he had recently sent a letter detailing their requests.

Supervisor Bruce Nilsen noted that he had reviewed the billing to On Site with Treasurer Holly Batton and that they in fact found additional charges that should not have been billed to the Cress project and that they now have a total amount of \$3202.75 that were billed to the account of which they feel a total of \$2106.50 was incorrect and should be credited.

Mr. Weinberg inquired about the phone calls between the Township Attorney and Mr. Casey. Supervisor Nilsen noted that there were a number of these calls that were related to such topics as drainage and other miscellaneous issues that the board has been advised are proper discussion points and that these would not be credited.

Supervisor Bruce Nilsen made a motion to authorize the crediting of funds to the Cress View Estates escrow account in the amount of \$2,106.50. Supervisor Leroy Schommer offered a second, all in favor, motion carried 2- 0 (Supervisor Casey Abstain).

Attorney Ruppe suggested that On Site Marketing review the analysis and discuss any issues with his office.

Resident Al Aspengren asked where the money is to be charged when credited. Supervisor Nilsen indicated that it would be allocated to various other accounts in the Township fund accounts.

Supervisor Dan Casey noted that it was unfortunate that these charges came to light after so long a time and that the Board invites any scrutiny of the bills as they are received by the developers and that this in fact is helpful to the Township.

Agenda Item 2 – Bid Review – Judicial Road Improvement Project

The Township is contemplating a major road repair project for Judicial Road and had recently advertised for, and received, bids on the project as designed by our Township Engineer.

Engineer Jeff Elliott noted that we had received 10 bids on the project.

McNamara Construction is the low bidder at \$188,903.45. He noted that the Town Board has 60 days to enter into a contract.

Engineer Elliott noted that he had sent a copy of this bid to the City of Lakeville and that their response is positive.

Attorney Bob Ruppe noted that we would be required to conduct a formal road improvement hearing before the bid can be accepted. He noted that we would now have until April 26th to set up the hearing.

Engineer Elliott suggested that we set a date at the next Township meeting now scheduled for March 17th.

Supervisor Leroy Schommer made a motion to authorize Attorney Ruppe to develop a schedule to properly notify the property owners and set a date for the public hearing. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

Agenda Item 3 – Discuss Weed Ordinance

Clerk Jerry Maas had previously gathered copies of the various weed ordinances from our neighboring communities and provided them to the supervisors. In addition, Attorney Ruppe had prepared a proposed ordinance that he feels will meet the township requirements.

Supervisor Casey noted that the purpose of this ordinance is to give the Township authority to mow weeds on property that is not maintained. The proposal would include authority to mow when weeds reached a height in excess of 12 inches.

Attorney Ruppe noted that we also have the authority under the State of Minnesota Noxious Weed laws.

Supervisor Leroy Schommer made motion to adopt the Weed Ordinance # 2008-01, Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

Engineer's Report

1) Territory Project Status

Attorney Bob Ruppe noted that the issuer of the Letters of Credit is willing to issue new Letters of Credit for this project if the Township would agree not to exercise its rights on the current expiring Letters of Credit (LOC).

Supervisor Bruce Nilsen indicated that he was in favor of calling the existing Letters and having the cash in hand

Supervisor Dan Casey asked if a meeting could be set up with the developer, the bank and the Township to review the status.

Supervisor Nilsen indicated that he would feel more comfortable 1) if the developer would make some good faith efforts on the project by forwarding some funds to the escrow account, 2) that we try to negotiate with the bank to transfer some of the County LOC money and 3) that the bank try to compensate us for the loss of the LOC on the Territory 1st Addition.

The Board instructed Attorney Ruppe to set up a meeting with Laurent Development, the bank and the Township to review and hopefully reach agreement.

2) Discuss Turn Lane / Lot Fee Charges

Engineer Jeff Elliott presented a report indicating that the basis for charging these fees dates to 2002.

He also presented an analysis of these fees in relation to the Draft Comprehensive Plan that the Township is preparing and his conclusion is that we are collecting enough to meet the expected requirements that are shown in this Plan.

The Board agreed with Mr. Elliot's conclusions and asked that we review them again next year.

3) Discuss City of Lakeville Water Resources Management Plan

Engineer Elliott presented a letter he is prepared to send to the City of Lakeville requesting that we be kept informed of any impacts they foresee that will affect Credit River Township.

Resident Holly Jorgenson noted that she felt there were some drainage issues into Sunset Lake. The Board asked Engineer Elliott to review these with Ms. Jorgenson and incorporate them in the letter to Lakeville.

Treasurer's Topics

1) Proposed Township Policies

Treasurer Holly Batton presented policies that she has been working on. These include:

- 1) Account adjustments and write-offs
- 2) Certification Procedure for CSTS Emergency Repair
- 3) NSF Charges
- 4) Certification Procedure for Unpaid Monthly CSTS Charges
- 5) Electronic Payment Approval

After discussion, Supervisor Leroy Schommer made a motion to approve these policies. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

2) Authorization to request Ryan Brandt to complete CSTS Asset Listing

Treasurer Holly Batton noted that the auditor has raised some questions regarding the CSTS systems and she was seeking direction on how to proceed.

Supervisor Leroy Schommer made motion to authorize EcoCheck to compile an Asset Listing, Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

3) Town Hall Cleaning Service

Treasurer Batton noted that she had received 2 proposals for a monthly service.

The Board asked for a clarification on trash removal and tabled further discussion until the next meeting.

4) Assignment of Service Charges – 7620 Crosswind Court

EcoCheck requested that the Board give direction on a specific service call where a phone line was not connected.

Supervisor Leroy Schommer made a motion to assign the charges to the property owner. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

5) Discuss Proposal to adopt Minnesota Historical Society Records Retention Policy

Treasurer Holly Batton noted that this is a very extensive and is not recommending complete adoption.

Resident Duane Sebens noted that an off-site storage facility might be in order as a backup for records.

Resident Greg Brown suggested that the Citizen Advisory Group might be willing to take a look at this issue.

6) Discuss Responsibilities for Compliance with Met Council Loan Requirements

Treasurer Batton noted that we have received the loan proceeds from the Met Council to assist the Township with our Comprehensive Planning. Treasurer Batton noted that there are some minimal requirements to qualify for these funds.

Engineer Jeff Elliot had agreed to provide the reporting requirements at no charge.

Other Business

1) **Continue Discussion Stans Museum Loan Request.**

Attorney Ruppe noted that his investigation indicated that the Stans Museum is in fact affiliated with the State Historical Society and that it would be proper to contribute should the Board decide to do.

Clerk Jerry Maas also noted that several of the townships in the County will not be offering a monetary donation, but will be offering to provide artifacts for display purposes. He also noted that this subject would be discussed at the March 29th Scott County Township Officer's Association meeting.

The Board tabled further discussion pending the results of that meeting.

2) **Review Bryan Rock Proposal for 2008**

Clerk Jerry Maas presented a proposal the Township had received for rock from Bryan Rock for the year 2008.

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

3) **Discuss Website**

It was noted that Clerk Jerry Maas has privately provided the website since 2001 since there was no interest on the part of the Board in having a website at that time.

The Board now feels that they would like an official website where the Board felt that they would have more control over the content.

Anticipating this to be the case, Clerk Maas indicated that he is already taking steps to rename the website and would be willing to work with Attorney Ruppe in preparing an agreement to transfer the rights to the existing Domain name to the Township.

4) **Discuss County Participation in Open House**

Clerk Jerry Maas noted that he had received an inquiry from Township Planner as to whether the Township would like to invite participation by a Scott County representative at the future Open House now being planned by the Township to publicly present the Draft Comprehensive Plan as well as current information on our incorporation efforts.

The Board indicated that they thought this would be a good idea.

5) **Approve Extension of Driveway Permit for 9020 Cantor Lane**

Treasurer Holly Batton noted that the builder for the above project is requesting the extension of the driveway access permit deadline to May 23, 2009 without penalty regarding the driveway escrow.

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

6) **Subordinate Service District on Territory and Stonebridge**

The need to begin collecting wastewater treatment fees from residents of the Territory and Stonebridge Estates was discussed. It was pointed out that the developers are currently paying these expenses.

Attorney Ruppe indicated that he would follow up with Ryan Brandt at Jacques Whitford EcoCheck to get the financial projections prepared and that he would work with Clerk Jerry Maas in setting up a schedule for future public rate hearings.

7) **Banyon Software**

Treasurer Holly Batton noted that she and Supervisor Nilsen had recently met with representatives of Banyon Software to discuss upgrading the Utility bookkeeping and billing software.

It was noted that it might be worthwhile investigating the possibility of converting the entire Township bookkeeping system to Banyon.

The Board asked Treasurer Batton to continue to explore this option.

8) **Bids**

In the future all bids to be opened with a Township Supervisor present and Supervisors to review all request for bids prior to them being sent out.

The Board requested that Treasurer Holly Batton prepare this policy and submit the policy to the Board for approval.

Review and Pay Bills

The Town Board approved and paid the following claims:

| | | | | | |
|----------|-------|---------------------------------|-----------------------------|----|-----------|
| 3/3/2008 | 4246 | Minnesota Valley Electric | South Passage Lift Station | \$ | 64.41 |
| 3/3/2008 | 4247 | Minnesota Valley Electric | Monterey Hgts Lift Station | \$ | 42.46 |
| 3/3/2008 | 4248 | Minnesota Valley Electric | Town Hall Electricity | \$ | 108.27 |
| 3/3/2008 | 4249 | Jacques Whitford EcoCheck | January CSTS O & M | \$ | 13,094.85 |
| 3/3/2008 | 4250 | Northwest Associated Consulting | Jan 08 Planning & Zoning | \$ | 2,490.00 |
| 3/3/2008 | 4251 | Art Johnson Trucking | February Road Maint | \$ | 5,164.16 |
| 3/3/2008 | 4252 | Mike's Septic Service | CSTS Pumping | \$ | 500.00 |
| 3/3/2008 | 4253 | Eide Baily LLP | Progress Payment 2007 Audit | \$ | 2,000.00 |
| 3/3/2008 | 4254 | Mike's Septic Service | CSTS Pumping | \$ | 250.00 |
| 3/3/2008 | 4255 | DB Services | Town Hall Snow Plowing | \$ | 150.00 |
| 3/3/2008 | 4256 | CenterPoint Energy | Town Hall Gas | \$ | 185.12 |
| 3/3/2008 | 4257 | Hakanson Anderson Assoc | January Engineering | \$ | 15,226.79 |
| 3/3/2008 | 4258 | Jerry Maas | Feb Expenses | \$ | 202.82 |
| 3/3/2008 | 4259 | Holly Batton | Feb Expenses | \$ | 145.10 |
| 3/3/2008 | 4260 | Bruce Nilsen | Feb Expenses | \$ | 16.16 |
| 3/3/2008 | 4261 | Holly Batton | Services as Treasurer | \$ | 1,925.35 |
| 3/3/2008 | 4262 | Dan Casey | Services as Supervisor | \$ | 734.18 |
| 3/3/2008 | 4263 | Jerald R Maas | Services as Clerk | \$ | 3,324.60 |
| 3/3/2008 | 4264 | Bruce Nilsen | Services as Supervisor | \$ | 734.18 |
| 3/3/2008 | 4265 | Leroy Schommer | Services as Supervisor | \$ | 734.18 |
| 3/3/2008 | 4266 | Banners to Go | Election Signs | \$ | 192.87 |
| 3/8/2008 | EFTPS | Anchor Bank | March 941 Taxes | \$ | 1,478.32 |

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 10:45 pm.

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

Approved By: (s/) Leroy Schommer
Vice Chairman Board of Supervisors
Credit River Township