

Credit River Township Meeting Minutes February 1, 2010

Call to Order:

Chairman Leroy Schommer called the meeting to order at 6:00 pm.

Members Present:

Chairman Leroy Schommer, Vice Chairman Bruce Nilsen, Supervisor Brent Lawrence, Supervisor Tom Kraft, Supervisor Al Aspengren

Others Present:

Township Clerk Jerry Maas, Township Treasurer Holly Batton, Township Engineer Shane Nelson, Township Attorney Bob Ruppe

Consent Agenda (6:00:30 pm)

- 1) **Approve Minutes from January 4, 2010**
- 2) **Approve Treasurer's Report**
- 3) **Approve NSF Check Policy**
- 4) **Approve Building Permit Report**
- 5) **Approve 2010 Recycling Cooperative Agreement with the City of Prior Lake**
- 6) **Approve 2010 Contract with Scott Water and Conservation District (SWCD) for Erosion and Sediment Inspection Services**
- 7) **Approve Written Procedures**

Supervisor Kraft requested that item 7 be pulled from the consent agenda. He noted that he and Supervisor Aspengren would be working with Treasurer Batton on these procedures.

Supervisor Kraft made a motion to approve the consent agenda. Supervisor Nilsen offered a second, all in favor, motion carried 5 – 0.

Old Business

- 1) **Discuss Kody Place Delinquent Fees – Certify to Taxes (6:46:34 pm)**

Scott Swanson, property owner, noted that he received a document this evening that answered his questions and explained the delay in his payment. Initially he came to the Town Hall and it was his understanding that the fees due were enacted after his plat was approved.

Mr. Swanson questioned the Town Board and the Town Attorney as to why there were additional legal fees related to the Kody Place Agreement. Attorney Ruppe informed Mr. Swanson that the additional legal fees were related to enforcing the terms of the Kody Place Agreement. Attorney Ruppe informed the Board that an issue arose between the township and Cindy Geis, the Scott County Auditor, regarding the township's proposed certification of unpaid service charges to Scott Swanson and Rachelle Swanson as the developers of the Plat of Kody Place. This issue required additional legal research and both written and verbal communication between the Town Attorney and township staff, the County Auditor and various state agencies.

Attorney Ruppe reminded the Board that Mr. and Mrs. Swanson had entered into an Agreement with the Township to reimburse the Township all of its costs relating to the Plat of Kody Place including enforcement of the Agreement. The amounts owed under the Kody Place Agreement were past due and despite several notices had not been paid to the Township. The Township Treasurer notified the County Auditor regarding the township's proposed certification of unpaid service charges under Minn. Stat. §366.012 and provided a copy of that Agreement to the auditor. The County Auditor after reviewing the Kody Place Agreement informed the Treasurer that she would not accept the certification of unpaid development charges as service charges under Minn. Stat. §366.012. Further, the County Auditor informed the Treasurer that the township would need to prove these charges are legitimately "service" charges. After reviewing the legal brief submitted by the Town Attorney, the County Auditor forwarded the Kody Place Agreement to the Minnesota Department of Revenue and the Minnesota Attorney General for their opinion regarding the proposed certification of the unpaid service charges. The county auditor was not disputing the recovery of the township's consultants' fees nor the costs to certify the unpaid charges. The dispute centered on whether the township had properly classified the unpaid development fees as a service charge under the provisions of Minn. Stat. §366.012. The County Auditor after consulting with the Department of Revenue and the Minnesota Attorney General, determined to accept the certification proposed by the Township.

Supervisor Lawrence made a motion that the entire amount of \$7529 be certified to the property taxes unless this amount is paid this evening. Supervisor Nilsen offered a second with the qualification that any amount paid this evening be deducted and the balance be certified. Motion passed 4 – 0 (Schommer abstained)

2) Report from County Code Enforcement Officer (6:02:40 pm)

Dan Ekholm, Scott County Code Enforcement appeared at the request of the Board to review his departments 2009 Annual report and answer any questions the Board may have relative to his duties.

Clerk Jerry Maas asked for Mr. Ekholm to review the procedure that he follows upon receipt of a complaint. He noted that he goes through series of 3-4 inspections and ultimately prepares a formal citation and complaint if the complaint is not corrected.

Supervisor Lawrence asked about yellow notations in the report. Mr. Ekholm noted that these were indicative that the complaint was in the final court process.

Supervisor Nilsen asked about the change in process a few years back where the Township was asked to be the first responder on minor complaints and wondered how this was progressing. Mr. Ekholm stated that he did ask his supervisor about this and perhaps we can re-visit this or abandon.

Supervisor Kraft asked if we should be notified on complaints. Mr. Ekholm indicated that he has notified the Chair and Clerk after the complaint has been processed.

Clerk Maas asked how Credit River stacked up in relation to the other Townships as respects the volume of complaints. Mr. Ekholm indicated that we had a few more complaints, but we did rank high in terms of compliance once complaints had been logged.

Clerk Maas also asked about progress on CUP's. Mr. Ekholm indicated that he is close to completing this project.

Clerk Maas noted that Mr. Ekholm is the only compliance officer in the entire county and has a big assignment.

3) Consider Amendment to Cress View Developers Agreement (7:14:50 pm)

Supervisor Nilsen noted that we have been working on solving this issue for several years. The County has prepared an amendment for our consideration. He recommends that we go forward with approving this as presented.

Supervisor Kraft about the \$10000 due to township for work on the cul-de-sac and asked Engineer Nelson if this amount will be adequate to cover and is there enough to cover the warranty exposure. Engineer Nelson indicated that there was enough.

Supervisor Aspengren made a motion to adopt the amendment to the Developer's Agreement for Cress View Estates as presented. Supervisor Nilsen offered a second, all in favor, motion passed 5 - 0.

Supervisor Kraft asked if the \$10,000 needed to be kept in a separate account. It was decided that this would not be necessary.

4) Re-Organization Items / Job Descriptions (6:13:30 pm)

Supervisor Lawrence passed out job descriptions from statute along with a copy of the job posting used by Spring Lake Township when they were interviewing for these appointed positions.

Supervisor Lawrence volunteered that he would work with the Clerk and Treasurer over the next month to have something ready for the Board to review at the next meeting. Chairman Schommer will also assist with this effort

Supervisor Nilsen suggested that the pay level be discussed at the same time to get a better idea of what portions of the job take how much time.

Treasurer Batton emphasized that these need to be written with the positions in mind and not in relation to the current incumbents.

5) Discuss General Territory CSTS Concerns, Operating Revenues, Etc. (7:22:10 pm)

Supervisor Aspengren noted that we've been working on this topic for quite some time now. He noted that the Board had received a letter from the residents and he went on to review this with the Board.

Among the requests was that the vendor supply a work plan that has been since been developed.

The emergency service calls will be billed to those users who cause the problem. He wanted to be certain that all of the residents agreed with this proposal. It's a one-year trial program that will start immediately after the rate-hearing meeting.

Resident Rick Ernst presented petition signed by the residents indicating agreement.

Mr. Ernst noted that the work is being done on a time and materials basis. The charges are coming in and they are not seen. Using this new approach, the responsibility will be shifted to the individual homeowners. He believes this is specified in the ordinance.

The Board approved a contract with EcoCheck on a Time and Materials Basis at a prior meeting even though Territory Residents had brought up objections to the contract at prior Township Meetings. Specifically relating to approving a contract that specifies a financial plan that had not even been approved by the Board when they approved a T&M contract. It was not until it was further explained by residents of Territory that Supervisor Kraft said the current contract has serious problems with it and needs to be fixed.

The second point being operating the CSTS on a basis that was not consistent with the Ordinance that was in effect. Residents of Territory sited specific ordinances that where

not being followed by the Township Board. The township attorney agreed with the residents on there interpretation of the ordinances.

Supervisor Kraft asked for clarification on who would do the billing. Supervisor Aspengren stated that the contractor would inform the Township who would then pass the billing through.

Resident Lucian Strong noted that the petition asks:

1 That there be a rate reduction to \$75/month

2 That the excess operating reserve be returned to the residents over a 4-year period.

3 That the EcoCheck contract be limited to a one year term.

Supervisor Aspengren stated that the contract as written is a 2-year contract subject to a one-year review. This would coincide with the existing contracts with MH/SP and Stonebridge.

Mr. Strong noted several reasons that they have for requesting a one-year contract and was simply looking for a better system to control the costs.

Supervisor Nilsen asked about ordinance changes or amendments?

Attorney Ruppe can make the needed changes as required. He would have to review but initial inclination is that no ordinance changes would be required.

Supervisor Lawrence noted that a lot of work has been done in terms of looking to solve these issues and that the goal is to get the project in shape so that full "build out" can be reached.

6) Discuss Invoice for Landscaping Plan (6:20:00 pm)

Supervisor Aspengren invited Rob Wachholtz to come to the podium to discuss his request to be paid for developing the landscaping plan. Supervisor Aspengren indicated that it was his understanding that Chairman Schommer was empowered to authorize payment of that invoice if the MPCA indicated that they would be open to discussion of a revised fencing plan.

Supervisor Aspengren mentioned that a DRT meeting has been authorized for the following Wednesday.

Chairman Schommer indicated that it was his understanding that he was authorized to approve the release of funds in cases of an emergency and that he did not regard this plan to be an emergency.

Supervisor Lawrence referred to the meeting minutes that indicated that it could be paid if the MPCA had approved a reduced fencing plan that would allow funds to be available.

The Board decided to discuss this subject at the next meeting.

Supervisor Nilsen indicated he was not happy with the MPCA proposal. He felt that there is a clause in the proposal with which he is not in full agreement specifically the fact that full fencing could be required at a later date and who will pay for it at that time is not specified.

Mr. Wachholz indicated that he was OK with the delay in payment.

Supervisor Nilsen also noted that the County is now out of the picture because they do not have a certified engineer. Mike Sobota, Scott County Development, confirmed that the County just recently approved a new ordinance amendment and that the County is no longer a licensee.

The Board asked Clerk Maas to schedule this topic for the March Meeting.

7) Discuss Date for Public Rate Hearing (7:53:00 pm)

Lisa Zylkowski, resident of MH/SP also asked that MH/SP also be considered for a rate reduction hearing. Supervisor Aspengren indicated that he would be available to meet this week.

Supervisor Lawrence made a motion to set a rate hearing for the Territory for March 1st, at 6:00 pm. Supervisor Nilsen offered a second, all in favor, motion passed 5 – 0.

It was decided that a mailing would be sent to all of the residents.

8) Report on Meeting with Prior Lake Fire Officials (6:29:56 pm)

Supervisor Lawrence noted that he recently attended a meeting with Prior Lake Fire Officials. He presented a report that shows the breakdown of calls. He also noted information was available on Equipment Inventory, the Capital Improvement plan as well as the adopted budget for operation.

He mentioned that there are no immediate plans for a station in the Southwest area due to a limit in the number of fire fighters living within 6 miles.

There are still plans for a station by the McStop exit off of Interstate 35, but the density of homes needs to increase.

9) Ordinance for Illicit Discharge (6:36:00 pm)

Supervisor Aspengren stated that we would need to re-schedule this item for next month until we determine what the County's involvement has been.

10) Status Report on Township Newsletter (6:36:12 pm)

Supervisor Nilsen reported that this should be available in a day or two.

Supervisor Lawrence made a recommendation that we have a deadline for input and that Supervisor Nilsen have final approval authority.

Chairman Schommer made a motion to authorize Supervisor Nilsen and Supervisor Aspengren to approve the newsletter. Supervisor Lawrence offered a second, motion passed 5 – 0.

Public Hearing–Integra Telecom–Consider Application for Franchise

Chairman Schommer called the Public Hearing to order at 7:58 pm

Attorney Bob Vose, representing the Township opened the discussion by observing that the State of Minnesota has specific requirements for applying for a franchise.

We have received an application from Integra and at issue is the question as to area to be served. There is currently litigation between our current franchisee, Mediacom and Integra. He asks that the Board focus on the basis issue of the "Level playing field" i.e. that whatever we require of the existing franchise holder must be imposed upon the new applicant (competitor). He also asked that the Board concentrate on what in fact is being served. He noted that while Mediacom is required to serve the entire Township that they are asking that Integra also meet this requirement, even though Mediacom is not currently serving the entire Township.

Dave Kunde, Sr. VP and General manager for Integra spoke to the Board. He was present to respond to the RFP that the Township asked for. He introduced several members of his team and presented some background information on Integra as well as information on the service Integra is proposing to provide.

Brian Grogan, outside legal counsel for Integra discussed a map showing proposed service areas.

Mediacom is demanding that Integra serve to entire Township as they have been so required. In fact it is impossible for Mediacom to serve the entire Township because of the density exception in their franchise agreement because of the large lots in the Township.

Integra is proposing to serve 85% of the Township by 2010. They are not proposing to serve the east portion of the Township now served by Frontier.

Jane Bremer, attorney representing Mediacom, wished to emphasize the following 5 points:

1. Mediacom has no objection to competition
2. Statute provides minimum content requirements, the Township can go beyond the requirements of the Statutes.
3. Integra chooses to invest in only a portion of the Township (85%), not the entire Township.
4. The issue for Integra is financial not legal. Integra should be required to meet the same rules as Mediacom under terms of the existing franchise agreement.
5. Integra should be made to comply with all of the terms of the RFP including disclosure of its financial condition.

Supervisor Nilsen asked about the term of the existing agreement. It is 15 years and negotiations to extend the agreement should start about 3 years prior to expiration.

Supervisor Nilsen asked why Integra is being asked to serve all, why isn't Mediacom serving the entire township? Ms Bremer noted that all should play by the same rules.

Supervisor Aspengren asked about plans of Mediacom to expand? Ms Bremer did not know for sure.

Supervisor Lawrence asked about last extension by Mediacom to a new portion of Credit River? Ms. Bremer did not have an answer at this time.

Attorney Vose summarized. He noted that he heard two important points. The first being that even if we are not legally required to make Integra serve the entire, Township, we could. The other point was that if we did make Integra serve the entire Township, they would not be interested in continuing to serve any of it.

The other point he wanted to make was that Mediacom states that they are authorized to serve the entire Township, but they are not required to serve in lower density portions according to the terms of the existing franchise. However, if residents in the lower density areas demand and are willing to pay, Mediacom must extend services in these areas also.

Mr. Grogan noted that Integra was reticent to sign an agreement similar to Mediacom because they have no intention of ever serving the Frontier area.

Supervisor Aspengren asked if any legal precedent has been established in similar situations. Mr. Grogan noted that each case is somewhat different.

Supervisor Lawrence noted that it had been stated earlier that there was some question about the financial condition of Integra.

Attorney Vose noted that governmental units are typically protected through performance bonds and that beyond that in his opinion, there is little financial exposure.

A representative of Integra noted that they had recently undergone a restructuring of its financial structure, but he also pointed to comments made by Attorney Vose that the infrastructure is already in place and therefore there is no financial exposure.

Supervisor Nilsen made a motion to close the public hearing. Supervisor Lawrence offered a second, all in favor, motion passed 5 – 0.

Supervisor Aspengren asked for information on the financial condition of Integra.

Supervisor Aspengren made a motion to authorize Attorney Bob Vose to continue negotiating with Integra and to investigate the financial condition of Integra. There was no second, consequently the motion died.

Supervisor Nilsen made a motion to authorize Attorney Bob Vose to pursue negotiations with Integra on this franchise agreement. Supervisor Lawrence offered a second. Motion passed 4-1 (Aspengren opposed)

Attorney Report

1) Contract with EcoCheck (9:16:20 pm)

Attorney Ruppe presented a copy of the contract with the latest changes.

Supervisor Aspengren noted that we have some input this evening and consequently should revisit this topic after a one-year period. He would like language inserted to cover this. Attorney Ruppe noted that this would not change the enforceability of the contract over a two-year period since it remains a two-year contract.

Resident Rich Ernst noted the existing contract specifies a 60-day out for failure to perform on the part of either of the parties. He also noted that it would automatically renew at the end of two years for a one-year period.

There was a question as to whether or not the Board already approved this contract at the November meeting based on attorney review.

Clerk Maas asked if Ryan Brandt would agree to an amendment to this already approved contract at this time and perhaps this would provide a solution?

Resident Ray Leathers asked if the Township got competitive bids.

Chairman Schommer noted that we did and that the responders did not provide good information.

Mr. Leathers noted that the residents suspect that the service calls last year were in the abandoned or un-occupied homes. He suspects that there are other vendors who can do this work.

Supervisor Nilsen noted that this is a niche market and that the range of possible vendors is in fact rather limited.

Supervisor Aspengren noted that they had 7 potential vendors. They found that three could possibly do the work. In the final analysis, Ecocheck was in the middle of these three as far as service charge is concerned and considering their experience was the best choice.

Resident Greg Meyers stated that they, like the Board are trying to keep the costs under control. He noted that the original contract stated “things that were to be done”. The newest contract does not have that language included. He suggested that we get a flat price established for those things that we know need to be done.

Attorney Ruppe will contact Ryan Brandt at EcoCheck, explain the issues and attempt to mediate a solution. He will report back to Chairman Schommer.

2) Order to show Cause (10:33:51 pm)

Attorney Ruppe mentioned that we had been served with an order to show cause on a property issue in the Territory. We were noticed because of the Developers Agreement we have for the project. Once this document is processed, the Developer's Agreement will no longer apply, The only problem Attorney Ruppe sees is as respects the Home Owners Association.

3) Huntington Way (10:41:00 pm)

Supervisor Kraft made a motion to void check 5399 payable to Crain Creek/Tri County and to issue a new check in the amount of \$13,800 to Westfield Insurance Co. per letter dated January 12, 2010 directing us to make payment to Westfield Insurance Co. by Tri-County Aggregates per bond # 55681. Supervisor Nilsen offered a second, motion passed 5 – 0.

Sheriff's Report (7:20:00 pm)

Deputy Dvorek presented the report. He noted that once again, false alarms were the largest reasons for calls. There were a few fraud reports. He noted one in particular coming out of Texas regarding a supposed call from a prison. It ends up being excessive phone charges being accumulated and he warned residents to be alert to this and call the Sheriff if you get a call related to this scam.

Resident Open Forum (11:03:40 pm)

1) Mike Whitt, resident of Century Hills

Mr. Whitt first of all wished to commend the Board for the fine snow removal work that is being done this year.

Secondly, he noted that he was the person that wrote the article in the paper regarding the topic of incorporation. He had the opportunity to attend a couple of previously meetings and he was of the impression that while the Board was desirous of public input, he felt that the input that was provided was in support of incorporation and that he wanted to guarantee the Board that the majority of the people in the south part of the Township are not in support of incorporation. His goal in writing the article was to be sure that the Board got this message.

He was concerned that the Board was going to make a decision in November and was glad to see that was postponed. While he is not in favor of spending more money to continue studying this issue, he's rather it be studied that a wrong decision be made.

He also wanted to discuss the newsletter that Clerk Maas has been circulating. He wanted to point out that many people think this is n official Township publication. He also was concerned that Clerk Maas secured the email addresses improperly. He felt that this is especially improper considering the upcoming election. He felt that there is the potential for a hostile work place claim considering the verbal assaults that he feels may have taken place.

Mr. Whitt noted that Clerk Maas has given the impression that he does not work for the Town Board in that he is elected by the people. He feels that this is not the case and that the Board is the boss and responsible to control the Clerk, He feels that the Clerk "needs his wings clipped". This constitutes un-professional behavior.

Supervisor Kraft noted that while he also has had issues with the newsletter, that the Board has concluded that this is the Clerk's right to publish.

Mr. Whitt agrees, but that the issue is that contends that the email addresses were obtained while the Clerk was doing work for the Township.

Mr. Whitt also noted that he was glad that the Board is in the process of writing job descriptions because there is a lot that a legislative body can do to someone to “reign him in”. They can censure him, they can cut his pay, make him document his time, but something should be done.

Engineers Report

1) Consider Request from Joe White, Tri-County Aggregates, Liquidated Damages (10:50:00 pm)

In view of the previous discussion regarding Huntington Way under the Attorney Report, Engineer Nelson asked how we should proceed with any future work that needs to be done? He noted that we have a bid bond, a payment bond and a performance bond. He is suggesting that we might want to formally cancel the project and seek payment against the performance bond.

2) Sign Inventory and Retro-Reflectivity Program (10:53:00 pm)

Engineer Nelson presented a summary of the program that he has prepared. He noted that we will initially determine if our signs meet the minimum requirement by a visual process as outlined in this plan

We will then adopt a replacement schedule and replace and document updates. From that point forward we will follow the accepted plan for regular replacement.

Supervisor Kraft indicated that it was his understanding that the County will be responsible for the Stop Signs on County roads, but would not be doing the street signs on County Roads. We will have to review that aspect. Supervisor Kraft suggested a sort to determine quantities and prices.

Engineer Nelson presented a flyer that shows where we are in the process. He suggested that the Board could adopt the program and proceed to step 5.

Supervisor Nilsen asked what will happen if we fail to do this. It was noted that the Township might incur liability if injuries are sustained.

Chairman Schommer suggested that an approach might be to divide the Township into quarter segments and do the program over a four-year period. Supervisor Kraft proposed that it could be a six-year program.

The Board will review the proposal and place on the consent agenda for the next meeting.

The Board asked Engineer Nelson to contact Cy Wolf and seek to get on an agenda for a County Unit meeting.

3) Wetland Administration Fees and Escrow (11:10:30 pm)

Engineer Nelson noted that he had sent out a proposed Wetland Administration Fee Schedule along with a recommendation for establishing escrows. He noted that because of the variability of the projects, it is difficult to determine a set fee. While he is comfortable with the proposed fee structure for simple projects more complex projects could cost more. Therefore, the fee structure also has an escrow component.

Supervisor Nilsen made a motion to accept the Fee Schedule and Escrow Plan for Wetland Reviews. Supervisor Kraft offered a second, all in favor, motion passed 5 – 0.

Engineer Nelson passed out a proposed Resolution for consideration. The Board asked that formal approval of this be considered on the consent agenda for the next meeting.

SCALE REPORT (6:42:00 pm)

Clerk Jerry Maas noted that the local state legislative representatives from our area were invited to the last SCALE meeting for the purpose of reviewing the Counties concerns coming up before the State Legislature, primarily transportation issues.

Each of the legislators also presented a short commentary on where they saw the session going this year.

Clerk's Report

1) Approve Election Judge List / Set Voting Hours (11:27:50 pm)

Supervisor Aspengren submitted a list of Election Judges for Board approval

Supervisor Lawrence made a motion to approve the list, Supervisor Kraft offered a second, all in favor, motion passed 5 – 0.

Supervisor Aspengren asked if the Town Hall could be used for campaigning? The Board decided that it could not.

Supervisor Lawrence made a motion to set the voting hours from 7 am to 8:pm. Supervisor Nilsen offered a second, all in favor, motion passed 5 – 0.

2) Discuss Plans for Annual Meeting (11:31:50 pm)

The Board decided that Attorney Ruppe need not attend.

Clerk Maas reported that the Legends Club is confirmed.

Supervisor Lawrence recommended that the consultant for the Form of Government project, Dean Johnson give a short update and that new Prior Lake Fire Chief, Doug Hartman make a brief presentation and be available to answer questions.

Supervisors Kraft and Nilsen will be prepared to discuss summer road plans and Supervisors Lawrence and Schommer will discuss winter road issues.

Supervisor Lawrence will contact Chris Kostik to confirm his availability to serve as moderator if nominated and elected.

3) Grant for Automatic Door Openers

Clerk Maas noted that we have received a letter offering to provide assistance to install Automatic Door Openers for polling places.

The Board decided not to accept this offer.

Treasurer's Report

1) Encroachment Agreement fees (11:39:05 pm)

Treasurer Batton presented a proposal that she and Engineer Nelson had developed. The proposal for a flat amount of \$300 for an encroachment agreement will be added to the fee ordinance. This would cover typical township costs for this type of agreement. It was the Treasurer and Engineer's recommendation that this be evaluated annually to make sure it is adequate to cover township expenses.

Supervisor Aspengren made a motion to adopt the Encroachment Fee Agreement as presented. Supervisor Kraft offered a second, all in favor, motion passed 5 – 0.

2) Discuss Financial Reports on the Website (11:41:35 pm)

This request came from Resident Rhonda Anderson as a result of reading the clerk's newsletter. The Treasurer indicated that she would be in favor of putting the Audited 2009 results on the website as well as the budget for 2010.

There was a discussion as to how much information should be shown. Supervisor Kraft felt that putting up monthly information might be misinterpreted. Supervisor Lawrence indicated he would like to review what was being proposed before we make a decision.

3) Set Date for Board of Audit (11:44:55 pm)

Treasurer Batton suggested March 1 at 5:00 pm.

Supervisor Nilsen made a motion to set March 1, 2010 at 5:00 pm for the Board of Audit. Chairman Schommer offered a second, all in favor, motion passed 5 – 0.

4) Transfer Funds (11:46:55 pm)

Supervisor Nilsen made a motion to transfer \$135,000 from the savings to the checking account. Supervisor Lawrence offered a second, all in favor, motion passed 5- 0

Road Report (11:48:25 pm)

1) Mailbox Issue

Supervisor Lawrence reported that a Mail Box in South Passage was hit and cost \$425 to replace. The resident was concerned that the \$50 mailbox replacement policy is not adequate.

Supervisor Nilsen noted that many of the mailboxes are not designed for this type of weather. Chairman Schommer noted that we have had a long-standing policy of \$50 and that he was in favor of continuing this policy. The rest of the Board agreed.

2) Road Repair and Reconstruction Issues

Supervisor Lawrence reported that the catch basin on Whitewood Ave. is now fixed.

Supervisor Kraft asked that we determine those roads that we are planning to fog seal and seal coat. Then we need to determine if we are going to work with Scott County again or oversee the projects ourselves. He noted that if we do it ourselves, we have better controls over the time period that the work is performed.

Supervisor Kraft presented a draft of the plans that he is developing with Engineer Nelson and proposed a workshop to discuss these plans more extensively for February 16th at 6:00 pm.

New Business

1) Managing Projects by the Township (12:10 :00 pm)

The Board asked Clerk Maas to add a topic to next months agenda whereby we could discuss future plans to manage projects such as that has developed in the Territory by ourselves instead of the need to sub-contract the work as we did in the case of the Territory.

Review and Pay Bills (12:16:00 pm)

2/1/2010	5400	Al Aspengren	Services as Supervisor	\$	743.72
2/1/2010	5401	Brent Lawrence	Services as Supervisor	\$	789.59
2/1/2010	5402	Bruce Nilsen	Services as Supervisor	\$	761.89
2/1/2010	5403	Holly Batton	Services as Treasurer	\$	3,080.05
2/1/2010	5404	Jerald R Maas	Services as Clerk	\$	2,246.17
2/1/2010	5405	Leroy Schommer	Services as Supervisor	\$	688.52

2/1/2010	5406	Tom Kraft	Services as Supervisor	\$	623.36
2/1/2010	5407	Bryan Rock Products	Screen Clean Rock	\$	1,148.63
2/1/2010	5408	City of Lakeville	Judicial Road Maintenance	\$	989.74
2/1/2010	5409	Couri Macarthur & Ruppe	Legal Bills	\$	1,463.75
2/1/2010	5410	ECM Publishing	Legal Advertising	\$	134.75
2/1/2010	5411	EcoCheck	CSTS O and M	\$	9,632.76
2/1/2010	5412	Gopher State One Call	Utility Locates	\$	10.15
2/1/2010	5413	Hakanson Anderson	Engineering	\$	8,048.26
2/1/2010	5414	Kennedy & Graven	Franchise Consulting	\$	232.50
2/1/2010	5415	Kraemer Mining	Lime Chips	\$	398.78
2/1/2010	5416	Metro Sales	2009 4th Qtr Copier Usage	\$	161.48
2/1/2010	5417	Private Underground	Utility Locates	\$	101.50
2/1/2010	5418	Scott County Treasurer	2nd Half Salt Purchase	\$	7,214.40
2/1/2010	5419	SW Suburban Publishing	PL Legal Notices	\$	142.95
2/1/2010	5420	AI Aspengren	Expense Reimbursement	\$	12.00
2/1/2010	5421	Alex Bunberry	Mailbox Reimbursement	\$	50.00
2/1/2010	5422	Art Johnson Trucking	January Winter Road Maintenance	\$	7,865.47
2/1/2010	5423	Bob James	Mailbox Replacement	\$	50.00
2/1/2010	5424	Bohnsack & Hennen	Snow Removal-Creekwood	\$	90.00
2/1/2010	5425	Brent Lawrence	Services as Supervisor	\$	164.69
2/1/2010	5426	Brian Segar	Mailbox Replacement	\$	50.00
2/1/2010	5427	Bryan Rock Products	Purchase Rock	\$	356.71
2/1/2010	5428	Cathy Haugh	Mailbox Replacement	\$	50.00
2/1/2010	5429	CenterPoint Energy	Town Hall Gas	\$	170.59
2/1/2010	5430	City of Prior Lake	First Half Fire Contract	\$	105,981.00
2/1/2010	5431	Couri Macarthur & Ruppe	January 2010 Legal	\$	1,145.00
2/1/2010	5432	DB Services	Snow Removal Services	\$	537.50
2/1/2010	5433	Fahrenkamp & Cameron	YE Payroll Reporting	\$	250.00
2/1/2010	5434	Gallaghers	Snow Removal	\$	7,127.00
2/1/2010	5435	GE Capital	Copier Lease	\$	149.64
2/1/2010	5436	Grant Pannkuk	Mailbox Replacement	\$	50.00
2/1/2010	5437	Holly Batton	Expense Reimbursement	\$	39.05
2/1/2010	5438	Integra Telecom	Phone Services	\$	567.68
2/1/2010	5439	Jerald Maas	Expense Reimbursement	\$	7.78
2/1/2010	5440	John Zoller	Mailbox Replacement	\$	50.00
2/1/2010	5441	Witt Construction	Winterize CSTS 2 and 3	\$	750.00
2/1/2010	5442	Kraemer Mining	Lime Chips	\$	1,344.04
2/1/2010	5443	Kristin Aleman	Mailbox Replacement	\$	50.00
2/1/2010	5444	MVEC	Electrical Service	\$	654.99
2/1/2010	5445	Ron Malz	Mailbox Replacement	\$	50.00
2/1/2010	5446	Safety Signs	Replace Stop Sign	\$	225.00
2/1/2010	5447	Scott Cty Twp Assn	Dues	\$	1,992.41
2/1/2010	5448	Teri Haugen	Mailbox Replacement	\$	50.00
2/1/2010	5449	Tom Kraft	Expense Reimbursement	\$	29.00
2/1/2010	5450	Xcel Energy	St Francis St Sign	\$	13.49
2/1/2010	5451	Private Underground	Utility Locates	\$	65.00
2/1/2010	5452	Rove Pest Control	Town Hall Pest Control	\$	80.16
2/1/2010	5453	Westfield Insurance	Release Liq Damages - Huntington Way	\$	13,800.00
	PERA	PERA	Retirement Benefits	\$	576.30
	EFTPS	Anchor Bank	Tax Withholding	\$	2,073.06

Adjourn

There being no further business before the Town Board, Supervisor Kraft made a motion to adjourn the meeting. Supervisor Aspengren offered a second, all in favor, motion carried 5 - 0. The meeting adjourned at 12:35 pm.

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

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