

**Credit River Township Board Meeting
Monday, November 4th, 2013, 6pm**

Meeting Minutes

The November 4, 2013 Credit River Township Meeting was called to order with the Pledge of Allegiance at 6PM by Chairman Brent Lawrence.

Members Present:

Chairman Brent Lawrence; Vice Chair Tom Kraft; Supervisor Chris Kostik; Supervisor Leroy Schommer; Supervisor Al Novak.

Others Present:

Township Engineer Shane Nelson, Township Attorney Bob Ruppe, Township Clerk Lisa Quinn, Township Treasurer Sarah LeVoir.

- 1) Approve or Amend Agenda:** Chairman Lawrence asked if anyone would like to add or remove anything from the agenda.

Vice Chair Kraft asked that Item #3 under Old Business, Meadow View Blvd. Paving, be removed and added to the December 2, 2013 Board Meeting Agenda.

Engineer Nelson asked that "2013 Sealcoat Project Final Paving" be added to the Agenda as Item #3 under "Old Business."

Clerk Quinn asked if "Electronic Roster" could be added to Clerk's Report as #3; "Township Candidate Filing Period" under Clerk's Report as Item # 4.

Supervisor Kostik made a motion to approve the amended agenda. Supervisor Schommer seconded the motion. Motion carried 5-0.

Items were added as requested.

- 2) Consent Agenda**

- 1) September 2013 Treasurer's Report**
- 2) October 2013 Developer's Escrow Statement**
- 3) October 7, 2013 Board Meeting Minutes**
- 4) September 16, 2013 Fern & Birch Public Hearing #1 Minutes**

Supervisor Novak made a motion to approve the Consent Agenda. Vice Chair Kraft seconded the motion. Motion carried 5-0.

3) Open Forum

No items added here.

4) Old Business

1) Heitel Way Drainage.

Engineer Nelson updated the Board in regard to the current drainage concerns on Heitel Way. There are some conditions that exist that are causing current homeowners to experience drainage problems, including narrowing of the ditches/ culverts that has occurred over the years. Township Attorney Ruppe recommends easements with the property owners if the Township were to get involved in the repairs. The other option Attorney Ruppe offered would be to not get involved, as property owners were responsible for the modifications over the years.

If the Township were to do the reconstructive work, a conservative estimate of the actual construction is estimated to be \$8-10,000.00, not including plans, specs and necessary legal work.

Heitel Way property owner L. Bowen appeared before the Board, stating that the culvert system in her yard was completely washed away by water drainage from the whole neighborhood in the most recent heavy rain, creating what she described as a "lake" in her front yard. She stated that her only option is to "dam" the water up. Attorney Ruppe cautioned her to be aware of the law before damming water. Resident Bowen asked if a holding pond could be constructed upstream to keep the water from flooding her yard. Supervisor Kostik said he would be cautious of setting precedents and taking future responsibility for past modifications that the Township had nothing to do with.

Chairman Lawrence recommended that any residents that would like to discuss Heitel Way Drainage concerns to meet with Engineer Nelson during Town Hall hours of Tuesdays between 0830-1200.

2) CSAH 27 Open House.

This open house will be an initial information session, and it will be held on November 8, 2013 from 4-6 at Prior Lake High School. The relocation is due to the number of people who will be affected by the project.

3) 2013 Sealcoat Project Final Payment.

Final payment paperwork has been received from the Contractor.

Vice Chair Kraft made a motion to approve the final payment for the 2013 Sealcoat Project in the amount of \$3781.91. Supervisor Schommer seconded. Motion passed 5-0.

4) Southfork Drive Care Facility Community Meeting. The community meeting for the Southfork Drive Care Facility with Scott County representatives and Rudolph Community Care Center Representatives has been set for Tuesday, November 19, 2013 at 7 PM, at the Credit River Town Hall. No notification is planned by County officials, but the meeting will be posted on the Credit River Township website, the Town Hall Bulletin Board, and an email will be sent to the Township bulk list.

5) CSTS Locates. No alternate adequate CSTS Locate company can be identified at this time. Hakanson–Anderson will continue to do the Township Locates, and submitted a rate chart to the Board.

Vice Chair Kraft made a motion to accept Hakanson-Anderson's rate quote for Credit River Township Locates. Supervisor Novak seconded. Motion passed 5-0.

6) Territory.

Engineer Nelson reports that the Territory 2 & 3 Punch list has been completed, and he recommends acceptance of Territory CSTS #2 and #3. Acceptance by Resolution will start the warranty period.

Supervisor Schommer made a motion to accept 2013-29, Resolution Accepting CSTS #2 and #3. Vice Chair Kraft seconded. Motion carried 5-0.

Clerk Quinn will provide a copy of the Resolution to the SA Group Attorney, Mr. Peter Berrie.

5) New Business

1) Natchez Ave. CUP.

Resident L. Ward would like to construct a horse riding arena at 18757 Natchez Avenue and appeared before the Board to present her County plan & application. Resident Ward is asking for a Township recommendation on her CUP application.

After discussion, the Board recommended acceptance of the CUP with the following conditions: That no living quarters be constructed in the arena; and that no commercial boarding is conducted by the property owner.

Vice Chair Kraft made a motion to recommend approval of the CUP based on the following conditions: that no living quarters are constructed in the arena building, and no commercial boarding is conducted by the property owner. Supervisor Schommer seconded. Motion passed 5-0.

2) **204th Street Potential CUP.** 204th Street resident G. Martin would like to run an appliance delivery and installation plumbing business from his property. There is an existing 40 x 80 Building. Resident states that the routes are run by 5 employees with 4-5 vehicles dispatched from the home daily and occasional deliveries.

Resident Feedback:

1) **J. Sulzbach, 204th Street East Resident.** Shares a driveway with the potential applicant. Resident wanted to confirm the number of vehicles that would be coming and going. His concerns would be the number of walkers and bicyclists on the road.

2) **T. Pasvogel, a relative of a 204th Street East Resident.** Resident has concerns that the zoning does not allow commercial usage, and neither does the road easement.

- 3) **D. Olsen, 204th Street East Resident.** Resident is against the plan, not because of the residents, but because of a commercial use of a residential property. Resident Olsen states that there have been various proposals over the years for the property, and they have defeated them all, after much work. Resident Olsen also states that the road will not support commercial plumbing truck traffic.
- 4) **C. Pasvogel, 204th Street resident.** Resident states that the Easement road goes through his property. Resident states he has paid for the blacktop leading to his property, and does not want to see commercial traffic on it.
- 5) **G. Schmelzer, 204th Street Resident.** Resident Schmelzer asks what the business would do if it grew. Potential CUP applicant M. Martin answered that if the business became too large, that they would move it.
- 6) **D. Buster, 204th Street East Resident.** Resident Buster states that the Road conditions in the spring and winter are too poor for commercial traffic.
- 7) **D. Schlottman, 204th Street Resident.** Resident has younger children in the home and is concerned for their safety. Resident references dust on the gravel road. Resident also states that early morning truck traffic while residents are sleeping would also be a concern.
- 8) **D. Zweber, 204th Street Resident.** Resident states his greatest concern is safety for the pedestrians on the road. He also states that the infrastructure does not support a business on the road. Resident states that he is more amenable to a CUP because it can always be pulled if conditions warrant.

There being no further comments, Chairman Lawrence asked the potential CUP applicant resident if he has received the information he came to get

today. Potential CUP Applicant Residents G. and M. Martin took a description of the process in writing away from the meeting.

3) Chickens on Smaller Lots Township Recommendation

Scott County Zoning is proposing to allow chickens (no roosters) on select smaller lots in some zoning districts in Scott County. They are looking for a Township Board recommendation on this issue.

The Credit River Town Board recommends approval of the expanded County Zoning Guidelines. Clerk Quinn will transmit the Town Board Recommendation to the proper Scott County official.

Chairman Lawrence made a motion to recommend approval to the request to allow the zoning change as drafted. Supervisor Schommer seconded. Motion passed 5-0.

4) Trail Grant Money.

Supervisor Kostik reports that the Shakopee Mdewakonton is offering grants totaling \$350,000.00, up to a municipal limit of \$100,000.00 to improve trails in Scott County. Municipalities must pay at least 20% of any final costs and complete work in 2014. Applications must be received by December 6, 2013.

Resident Mike Viola, Meadow View Blvd. Resident, appeared before the Board to ask for a trail in the Cressview neighborhood.

The Board is in favor of making application for the Trail Grant to benefit the residents. Supervisor Kostik will work with Engineer Nelson on the application. An update will be offered at the December 2, 2013 Credit River Township Board Meeting.

6) Road Report.

Vice Chair Tom Kraft reports that the CR 44 Reconstruction Phase Two will be next year, also, in 2015 CR 8 from the Dakota County line to CR 91 will be done. 2019 is the target date for CR 27 from CR44 to CR21. Finally, 2022 is the target year for CR 8 from CR91 to CR 27.

7) Treasurer Report

1) Transfer Funds.

Treasurer LeVoir recommended the transfer of \$15,000.00 from the Township savings to the Township checking account.

Supervisor Novak made a motion to transfer \$15,000.00 from Township savings to the Township checking account. Supervisor Schommer seconded the motion. The motion carried 5-0.

2) Escrow Update.

Territory Third Addition escrow account is current.

3) CSTS Budget 2014

Treasurer LeVoir, Supervisors Kostik & Novak met with the NSU (Natural Systems Utilities) representative Shane Symmank recently to discuss the CSTS Budget for 2014. There are no contract cost increases, but due to various increases in the service levels, there have been and will be increased costs.

The proposed CSTS budget for Monterey Heights will be \$50,545.00, an increase of \$2,845.00 from 2013, mainly relating to an increase in monitoring costs (\$1,200.00) and septic pumping (\$1,000.00) and in addition, utility locate costs have increased (\$800.00). Although the NSU hourly rates have remained the same, the amount of service has increased more than previously estimated.

Territory costs are estimated to be \$99,120.00, which is a \$10,295.00 increase, due to increased service levels. Monitoring costs have increased (\$5,000.00) due to necessary service levels; septic pumping has increased (\$2,500.00); and now that Territory 2 & 3 have been accepted, the Township now becomes responsible for locate costs (\$3,500.00).

Supervisor Kostik mentioned that when Territory 2 & 3 start-up, there will be costs associated with that that will have to be budgeted for. Supervisor Novak also reports that there is a broken pipe in the Territory system that will have to be fixed that will have to be budgeted for.

The Stonebridge CSTS proposed budget is \$31,040.00, which is a decrease of \$2,700.00, with the decrease being attributed to estimated service hours being less than estimated, Treasurer LeVoir reports that the system at Stonebridge has been running the most efficiently.

Treasurer LeVoir will run the current numbers to examine whether any rates need to be adjusted based upon the current proposed budgets.

5) Bank Update.

The Treasurer met with Anchor Bank account representatives, who recommended switching from Debit Cards to Credit Cards for safety. Treasurer LeVoir's recommendation to the Board would be that they consider the switch.

Supervisor Kostik made a motion to change the current staff bank cards from debit cards to credit cards, and to have them reflect a \$1,000.00 limit. Supervisor Schommer seconded the motion. Motion passed 5-0.

Treasurer LeVoir will make the change as soon as possible.

6) Audit Update.

Auditors will be on the premises on Monday & Tuesday January 20-21, 2014.

8) Clerk's Report

1) First Stop Shop.

Chairman Lawrence is interested in joining a First Stop Shop committee, the goal of which is to promote Credit River Township as an attractive place in Scott County to locate / relocate.

2) Resolution- Heritage Links Liquor License. It is time to renew the Heritage Links Liquor License. Resolution 2013-30, Resolution Regarding Heritage Links Liquor License, was introduced.

Supervisor Novak made a motion to approve Resolution 2013-30, Resolution Regarding Heritage Links Liquor License. Supervisor Kostik seconded the motion. The Roll Call vote went as such: Chairman Lawrence: Aye. Vice Chair Kraft: Aye. Supervisor Kostik: Aye. Supervisor Schommer: Aye. Supervisor Novak: Aye. Motion passed 5-0.

The upcoming holidays and staff hours/township needs were discussed by the Board & Staff.

Chairman Lawrence made a motion to close the Township staff hours on Tuesday Dec 24 and Tuesday Dec. 31, with office hours by appointment on Thursday, Dec 26 seconded by Supervisor Kostik. Motion carried 5-0.

9) Review & Pay Bills

Checks:	Paid To:	Amount:	Comments:
Paid Chk# 000222E	ANCHOR BANK	48.00	ACH/Check Scanner Fees/ACH Clsd Acct Fee Clerk Cell
Paid Chk# 000223E	ANCHOR BANK - DEBIT CARD	286.56	Phone/Postage/Office Supplies
Paid Chk# 000224E	EFTPS	1,500.86	FICA/Medicare/Fed WH
Paid Chk# 000225E	PERA	725.92	PERA
Paid Chk# 000226E	MINNESOTA REVENUE MW5	114.74	State WH
Paid Chk# 007436	AL NOVAK	734.18	October 2013 Srv Pd in November 2013
Paid Chk# 007437	BRENT LAWRENCE	734.18	October 2013 Srv Pd in November 2013
Paid Chk# 007438	CHRIS KOSTIK	731.10	October 2013 Srv Pd in November 2013
Paid Chk# 007439	LEROY SCHOMMER	951.20	October 2013 Srv Pd in November 2013
Paid Chk# 007440	LISA QUINN	XXXX	October 2013 Srv Pd in November 2013
Paid Chk# 007441	MARY RIEDER	XXXX	October 2013 Srv Pd in November 2013
Paid Chk# 007442	SARAH LEVOIR	XXXX	October 2013 Srv Pd in November 2013
Paid Chk# 007443	TOM KRAFT	616.00	October 2013 Srv Pd in November 2013
Paid Chk# 007444	AL NOVAK	25.43	October 2013 Expense Reimbursement
Paid Chk# 007445	ART JOHNSON TRUCKING INC	1,557.50	October 2013 Road Mtc
Paid Chk# 007446	BEAU & NICOLE DRURY	2,479.00	Escrow Refunds - 18765 Edgewood
Paid Chk# 007447	BOHNSACK EXCAVATING INC.	5,819.25	Ditch/Culvert/Seeding

Paid Chk#			October 2013 Expense
007448	BRENT LAWRENCE	18.08	Reimbursement
Paid Chk#			Access Escrow Refund -
007449	BRUCE A LATHAM	900.00	19725 Foxfield
Paid Chk#	CENTERPOINT		
007450	ENERGY	13.83	Town Hall Gas
Paid Chk#			October 2013 Expense
007451	CHRIS KOSTIK	194.32	Reimbursement
Paid Chk#	COLLINS TREE CARE,		
007452	INC	2,400.00	Cut Trees
Paid Chk#	CUDDIGAN CUSTOM		NPDES Escrow Refund -
007453	BUILDERS, LLC	1,595.00	19870 Cedar Lane
Paid Chk#			
007454	DENNIS KAROW	1,019.00	Parks/Town Hall Mowing
Paid Chk#			Agenda - 10/7/13 Board
007455	ECM PUBLISHERS INC	129.50	Meeting
Paid Chk#			
007456	GE CAPITAL	140.01	Copier Expense
Paid Chk#	GOPHER STATE ONE		
007457	CALL	33.35	Utility Locates
Paid Chk#	GOPHER STATE		Crackfilling - Various Township
007458	SEALCOAT INC	12,947.00	Streets
	HAKANSON		
Paid Chk#	ANDERSON ASSOC		
007459	INC	15,328.13	Engineering
Paid Chk#			
007460	INTEGRA TELECOM	558.19	Phone
Paid Chk#	JAMIN/JAYME		Escrow Refunds - 19035
007461	ANDERSON	2,705.00	Southfork Dr
Paid Chk#	JB WOODFITTER AND		
007462	ASSOCIATES	3,151.00	Various Escrow Refunds
Paid Chk#			October 2013 Expense
007463	LISA QUINN	24.18	Reimbursement
Paid Chk#	MCWILLIAMS &		Escrow Refunds - 8700
007464	ASSOCIATES, INC	2,405.00	Legends
Paid Chk#			
007465	MVEC	635.08	Electricity
Paid Chk#	NATURAL SYSTEMS		
007466	UTILITIES MN	8,631.33	CSTS Monitoring
Paid Chk#	PASSAGES DESIGN		NPDES Escrow Refund - 8031
007467	BUILD, LLC	1,580.00	Covered Bridge
Paid Chk#			Final Payment - 2013 Seal
007468	PEARSON BROS INC	3,781.91	Coat
Paid Chk#	ROBERT/DANIELLE		NPDES Escrow Refund -
007469	DUNHAM	458.00	21085 Prairie Hills Ln

Paid Chk# 007470	ROVE PEST CONTROL	75.00	Town Hall Qtrly Pest Control Srv
Paid Chk# 007471	SAFETY SIGNS	400.00	Signs - Various Township Streets
Paid Chk# 007472	SARAH LEVOIR	50.00	October 2013 Expense Reimbursement
Paid Chk# 007473	SCOTT SOIL & WATER CONSV DIST	885.00	Building Site Inspections Sept 2013
Paid Chk# 007474	TC HOMEBUILDERS INC	2,183.00	Escrow Refunds - 7735 Painted Sky
Paid Chk# 007475	XCEL ENERGY	13.54	St. Francis Light

Total 81,907.82

9) Adjourn.

There being no further business before the Town Board, a motion to adjourn was heard.

Supervisor Leroy Schommer made a motion to adjourn the November 4, 2013 Credit River Township Board Meeting. Supervisor Chris Kostik seconded the motion. Motion carried 5-0.

Meeting adjourned at 9:10 PM.

Recorded by:
Lisa Quinn, Township Clerk

Approved by:
Brent Lawrence, Chairman, Credit River Township