

**Credit River Township Board Meeting  
Monday, December 2, 2013, 6pm**

**Meeting Minutes**

**The December 2, 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;

**Members Absent:**

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.

Chair Lawrence asked that "210<sup>th</sup> and Nevada" be added as Item #4 under New Business ; "Transportation Finance Bill" be added as Item #5 under New Business ; "Adopt Resolution Ordering Feasibility Report- 2014 Overlays" be added to the Agenda as Item #1 under Engineer's Report; "MS4 Permit Update" be added as Item #2 under Engineer's Report; "Easements –Township Review for Lot Line Adjustments" be added as Item #3 under Engineer's Report; "2014-2015 Rates" be added as Item #4 under Engineer's Report; and "Grading" be added as Item # 5 under Engineer's Report.

Treasurer LeVoir asked if "Miscellaneous Updates" could be added to Treasurer's Report as Item #4."

**Supervisor Schommer made a motion to approve the amended agenda. Vice Chair Kraft seconded the motion. Motion carried 4-0.**

Items were added as requested.

**2) Consent Agenda**

**1) October 2013 Treasurer's Report**

**2) November 2013 Developer's Escrow Statement**

**3) November 4, 2013 Board Meeting Minutes**

**Supervisor Kostik made a motion to approve the Consent Agenda. Supervisor Schommer seconded the motion. Motion carried 4-0.**

**3) Open Forum**

No items added here.

**4) Old Business**

**1) Trail Grant Money.**

Supervisor Kostik reports that the Trail Grant Money will not be pursued by Credit River Township due to the CR 27 realignment possibly affecting 170<sup>th</sup> Street.

**2) December / January Holiday Hours.**

Due to the first Township Office filing day being January 2, 2014, the Town Board has decided that Jan. 2, 2014 will be the holiday office day, and the Clerk will offer business hours by appointment only on that day.

As a reminder, the Township offices will be closed on Tuesday, Dec. 24, Tuesday Dec. 31, and will reopen by appointment only on Jan. 2. Regularly scheduled Township Office Hours will resume Tuesday, January 7, 2014.

The above information will be posted on the Town Hall Posting Board and Township Website.

**3) Meadow View Blvd. Paving Update.** Supervisor Schommer spoke with Don Loehr. Mr. Loehr reports that they are not ready to construct the road extension right now. This issue will be added to the June 6, 2014 agenda for a planned construction deadline of June 6, 2015.

- 4) Territory Update.** J. Deanovic has sold his holdings in the Territory to the Excelsior Group. Engineer Nelson reminds the Board that Mr. Deanovic does have outstanding utilities permits with the Township which will have to be transferred over to the new owners. Chair Lawrence will make a phone call to Mr. Deanovic's attorney and, if necessary, a letter will follow giving a timeline for action.

The escrow will remain open for any further expenses.

**5) CR 27 Study Update.**

Supervisor Kostik and Schommer reviewed drawings of the concepts of the County's new CR 27. The County is studying big changes to the Road including to the entrance of Cleary Lake Park.

Supervisors Kostik & Schommer will continue attending the CR 27 Meetings on behalf of the Township, and give updates as needed.

**5) New Business**

**1) Credit River Antique Tractor Club Charitable Gambling Application.**

A representative from the Credit River Antique Tractor Club attended the meeting and briefed the Board on their event, which has been held in the Credit River Township parking lot since 1994.

**Supervisor Kostik made a motion to acknowledge the charitable gambling application for the Credit River Tractor Club. Supervisor Schommer seconded the motion. Motion carried 4-0.**

**2) Township Gravel Road Paving Policy.**

Attorney Ruppe recommended that the Board develop a Guideline verses a policy. Attorney Ruppe also reminded the Board that changing a gravel road to a paved road is the highest value road improvement.

After discussion, the Board decided that the policy would be best discussed when Supervisor Novak was present. Therefore, the issue will be tabled until the January 2015 meeting.

Later in the meeting a Resident, Mr. Leinenkugel, asked a few questions regarding any progress on this matter. The Board briefed him on the discussion that took place earlier in the meeting.

**3) MAT Annual Meeting Update.**

Supervisor Schommer attended the 2013 Annual Meeting in Morton, MN. He offered an update to the Board on the current MAT topic of invasive species.

**4) 210<sup>th</sup> & Nevada**

Engineer Nelson briefed the Board on an additional financing option with 2/10 unit assigned to Nevada Residents and with Clemwood Drive residents assigned 4/10 of a unit.

Attorney Ruppe advised a waiver from the two Clemwood Drive residential units that access 210<sup>th</sup> Street.

**5) Transportation Finance Bill.**

MAT (Minnesota Association of Townships) sent a letter to the Board asking for the Board's support of a Transportation Finance Bill. After discussion, the Board decided to pass a Resolution in Support of the Comprehensive Omnibus Transportation Finance Bill.

**Vice Chair Kraft made a motion to approve Resolution 2013-31, Resolution in Support of a Comprehensive Omnibus Transportation Finance Bill. Supervisor Kostik seconded. Motion passed 4-0.**

The Clerk will transmit the Resolution both to MAT and to the SCTA (Scott County Township Association).

**6) Road Report.**

Vice Chair Tom Kraft reports that we are now in winter road season.

**7) Engineer's Report.**

**1) Adopt Resolution Ordering Feasibility Report.**

Township Engineer Nelson reports that it is time to order the feasibility report for the 2014 Overlay Project on Cedar Lane, Cedar Court, Elm Court, Lynn Drive, Hampshire Court, Frontier Lane, Crimson Court, and Stoneridge Court.

**Vice Chair Kraft made a motion to approve Resolution 2013-32, Resolution Ordering Feasibility Study for the 2014 Overlay Project. Supervisor Schommer seconded. Motion carried 4-0.**

**2) MS4 Update.** Engineer Nelson reports that the MS4 Permit for the Township is due in a couple of weeks. The Board authorizes that he work with Supervisor Schommer on the permit, so it can be submitted by the deadline of January 1, 2014.

**3) Easements /Township Review.** Engineer Nelson reports that recently the Township has been notified of an Administrative Lot Line Adjustment that was approved without prior recent notification to the Township. In this case the lot line adjustment approved had a drainage easement on the previous lot line that was not moved with the lot line, raising the possibility of uncertainty and expense into the future when the wetland in the back of these properties has to be inspected. Engineer Nelson pointed out the practical difficulty of locating the easement when it is not on the lot line.

Notwithstanding the present case before the Board, the Board directed Attorney Ruppe to draft a letter to the County Planning and Zoning Officials to state that the Township would like to be able to give a recommendation that the County require the easement to move with the property line in a platted subdivision; that the iron monuments be moved with the lot line and easement; and that if the applicant desires that the old easement be vacated, that they contact the Township so that can be done at their expense.

**4) Rates.**

Hakanson Anderson submitted their rates for Professional Engineering Services for 2014-2015. The Hakanson Anderson Professional Engineering Services Rate Sheet is available at the Township for inspection by request.

**Vice Chair Kraft made a motion to accept the 2014-2015 Hakanson Anderson Rates. Supervisor Schommer seconded the motion. Motion carried 4-0.**

**5) Grading.**

There is a grading project that was initiated without permit on Murphy Lake Road. The appropriate officials have been contacted and are in the process of inspecting the work for any violations. Scott Soil and Water is the lead agency by law on this. An update will be offered as needed on any official progress.

**8) Question to Attorney re: Zweber v. Credit River Depositions.**

The Board members asked the Township Attorney Bob Ruppe a few general questions regarding the upcoming depositions ordered in the lawsuit Zweber V. Credit River Township.

## **9) Treasurer Report**

### **1) Transfer Funds.**

Treasurer LeVoir recommended the transfer of \$40,000.00 from the Township checking to savings.

**Vice Chair Kraft made a motion to transfer \$40,000.00 from Township checking to the Township savings account. Supervisor Kostik seconded the motion. The motion carried 4-0.**

### **2) CSTS Budget 2014**

The proposed CSTS budget and rates for 2014 Monterey Heights / South Passage, Territory, and Stonebridge CSTS (Community Sewage Treatment Systems) were presented for the Board's review.

Even though there is a possibility that there could be a cash flow shortfall in 2016 in Territory, Treasurer LeVoir recommends waiting a bit before instituting a rate increase to see if projected expenses materialize. The Board agreed.

**Supervisor Kostik made a motion to approve the 2014 Line-Item Revenues and Expenditures for the Stonebridge, Monterey Heights/ South Passage, and Territory CSTS. Supervisor Schommer seconded the motion. Motion passed 4-0.**

### **3) Overlay Prepayment Update.**

Treasurer LeVoir reports that for the 2013 Overlay Collector (170<sup>th</sup> Street) project, the Township had 57/ 104 Indirect Properties prepay their assessment; and for the Direct Assessment properties, the Township had 12/28 pre pay.

For the 2013 Residential Overlay Project (165<sup>th</sup> and related properties), the Township had 36/80 pre-pay.

Treasurer LeVoir reports that what this means from a financial standpoint for the Township is that there will be more “cash on hand” than previously estimated at the end of 2013, but less cash collected over the 10 year length of the assessment.

#### **4) Miscellaneous Updates.**

Treasurer LeVoir reports that she is in the process of working with Anchor Bank to make some changes to the staff expense procedures.

Treasurer LeVoir reports that the auditors will be in the Town Hall to begin their processes on Tuesday, December 10.

Treasurer LeVoir reports that there is an escrow that is in a negative balance of \$159.79 for wetland delineation.

Treasurer LeVoir would like to bring to the Boards attention that the Current Planning & Zoning Lawsuit against the Township has exceeded the MAT Insurance limit in fees, so she is requesting a Township recommendation on the invoice received from MAT in the amount of \$1000.00 to be held in an escrow for continuing expenses. She reports as well that the invoices from Attorney Ruppe to this point total \$3,361.25.

Payments made to MATIT and the Township Attorney related to the Planning & Zoning Lawsuit currently total approximately \$5,500.00.

After discussion, the Board referenced the Developers Agreement which they believe assigns any Township Expenses in a lawsuit to be covered by the Developer. Chair Lawrence will contact Attorney Ruppe in reference to this matter and update the Board. Supervisor Schommer stated that any amounts owed can be claimed against any sheriff's sale that takes place.

## **10) Clerk's Report**

**1) Township Candidate Filing Period Update.** Clerk Quinn offered a reminder that the Township Office Filing period will be from December 31, 2014 until January 14, 2014 at 5 PM. The Business days that this actually covers are weekdays between January 2, 2014 through January 14, 2014. On January 14, 2014 the Town Hall is required by law to be open for filing between 1 and 5 PM, and this is by a set "Town Hall Official Clock." If anyone is interested in filing for Town Office, the Clerk invites potential filers to identify a time during Town Hall Business Hours (9:00 – 1200) or by appointment between those dates that this can be accomplished. Please contact the clerk at [clerk@creditrivier-mn.gov](mailto:clerk@creditrivier-mn.gov) to set up an appointment.

**2) Approve 2014 Meeting Calendar.**

Clerk Quinn presented the Draft 2014 Meeting calendar for the Board approval. After discussion and a few suggested modifications, there was a motion made to approve the calendar.

**Supervisor Kostik made a motion to approve the 2014 Meeting Calendar. A second was offered by Chairman Lawrence. Motion passed 4-0.**

**1) Town Hall Use for the CSAH 8 Meeting.**

Scott County Highway Official Jeanne Briol is requesting the use of the Town Hall on Thursday, December 12, 2013 from 4-6 PM for a CSAH 8 Open House.

Chair Lawrence agrees to unlock the Town Hall at 3:30. Supervisor Novak will be contacted to update him on the meeting.

## **2) Contractor Insurance Liability Limits.**

Clerk Quinn inquired as to whether the Board would like the Contractors to provide documentation on whether or not they have complied with the stated contractor insurance levels referenced in their contracts. The Board directed Clerk Quinn to send an email to the referenced Contractor and ask for the documentation for insurance that matches their required contractual levels.

### 3) Review & Pay Bills

Checks:	Paid to:	Amount:	Comments
Paid Chk# 000227E	ANCHOR BANK	40.00	ACH/Check Scanner Fees Clerk Cell
Paid Chk# 000228E	ANCHOR BANK - DEBIT CARD	210.12	Phone/Postage/Office Supplies
Paid Chk# 000229E	EFTPS	1,485.55	FICA/Medicare/Fed WH
Paid Chk# 000230E	PERA	694.36	PERA
Paid Chk# 000231E	MINNESOTA REVENUE MW5	105.79	State WH
Paid Chk# 007476	AL NOVAK	708.78	November 2013 Srv Pd in December 2013
Paid Chk# 007477	BRENT LAWRENCE	1,033.17	November 2013 Srv Pd in December 2013
Paid Chk# 007478	CHRIS KOSTIK	780.44	November 2013 Srv Pd in December 2013
Paid Chk# 007479	LEROY SCHOMMER	1,011.23	November 2013 Srv Pd in December 2013
Paid Chk# 007480	LISA QUINN	XXXX	November 2013 Srv Pd in December 2013
Paid Chk# 007481	SARAH LEVOIR	XXXX	November 2013 Srv Pd in December 2013
Paid Chk# 007482	TOM KRAFT	766.32	November 2013 Srv Pd in December 2013
Paid Chk# 007483	AL NOVAK	20.34	November 2013 Expense Reimbursement
Paid Chk# 007484	ART JOHNSON TRUCKING INC	1,578.50	November 2013 Road Mtc/Nov Snow Retainer
Paid Chk# 007485	BANYON DATA SYSTEMS	795.00	Banyon Fund Accounting Support
Paid Chk# 007486	BOHNSACK EXCAVATING INC.	2,033.25	Culvert Mtc/Ditch & Drainage November 2013 Expense
Paid Chk# 007487	BRENT LAWRENCE	29.38	Reimbursement
Paid Chk# 007488	CENTERPOINT ENERGY	79.56	Town Hall Gas

Paid Chk# 007489	CERTIFIED RECYCLING	20.00	Disposal - Water Softner November 2013 Expense
Paid Chk# 007490	CHRIS KOSTIK	20.34	Reimbursement
Paid Chk# 007491	COURI & RUPPE, P.L.L.P.	2,681.25	Legal Fees
Paid Chk# 007492	CUDDIGAN CUSTOM BUILDERS, LLC	900.00	Access Escrow Refund - 19870 Cedar Lane
Paid Chk# 007493	ECM PUBLISHERS INC	185.00	Legal Publishings
Paid Chk# 007494	GALLAGHERS	1,000.00	Nov Snow Retainer
Paid Chk# 007495	GE CAPITAL	140.01	Copier Expense
Paid Chk# 007496	GOPHER STATE ONE CALL HAKANSON	33.35	October 2013 Utility Locates
Paid Chk# 007497	ANDERSON ASSOC INC	14,014.33	Engineering
Paid Chk# 007498	HOMES BY TRADITION, LLC	900.00	Access Escrow Refund - 21405 Bitterbush
Paid Chk# 007499	INTEGRA TELECOM	558.50	Phone
Paid Chk# 007500	JB WOODFITTER AND ASSOCIATES	900.00	Access Escrow Refund - 7726 Cress View
Paid Chk# 007501	LEROY SCHOMMER	286.05	November 2013 Expense Reimbursement
Paid Chk# 007502	LISA QUINN	15.79	November 2013 Expense Reimbursement
Paid Chk# 007503	MATIT	1,601.00	Planning and Zoning Claim & Workers Comp Pre
Paid Chk# 007504	MIKES SEPTIC MINNESOTA	260.00	Town Hall Septic Pumping
Paid Chk# 007505	POLLUTION CONTROL AG	1,240.00	Stonebridge General Permit Re-Issuance Fee
Paid Chk# 007506	MVEC	617.84	Electricity
Paid Chk# 007507	NATURAL SYSTEMS UTILITIES MN	10,809.13	CSTS Monitoring
Paid Chk# 007508	NORTHERN TECHNOLOGIES, INC	4,300.00	Fern & Birch Geotechnical Report
Paid Chk# 007509	PASSAGES DESIGN BUILD, LLC	900.00	Access Escrow Refund - 8031 Covered Bridge
Paid Chk#	PRIOR LAKE	6,688.00	Patching

007510	BLACKTOP, INC.		
Paid Chk#			November 2013 Expense
007511	SARAH LEVOIR	50.00	Reimbursement
Paid Chk#	SOUTHWEST		
007512	NEWSPAPERS	107.02	Legal Publishings
Paid Chk#			Town Hall Alarm Monitoring
007513	TRANS-ALARM	89.85	Srv
Paid Chk#			
007514	XCEL ENERGY	13.75	St Francis Light
	<b>Total</b>	<b>62,741.70</b>	

**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 December 2, 2013 Credit River Township Board Meeting. Supervisor Chris Kostik seconded the motion. Motion carried 5-0.**

Meeting adjourned at 8:30 PM.

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Recorded by:  
Lisa Quinn, Township Clerk

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Approved by:  
Brent Lawrence, Chairman, Credit River Township