

Credit River Township Board Meeting

Monday, May 5, 2014, 6pm

Meeting Minutes

The May 5, 2014 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 Chairman Tom Kraft; Supervisor Leroy Schommer; Supervisor Chris Kostik; Supervisor Al Novak

Others Present:

Township Engineer Shane Nelson, Township Attorney Bob Ruppe, Township Clerk Lisa Quinn, Township Treasurer Sarah LeVoir; Scott County Tax Assessor Dell Sanko was also present for the Reconvene of the Local Board of Appeal & Equalization.

1) Approve or Amend Agenda:

Vice Chairman Kraft asked that "Kaufman Diesel Spill Update" be added to Engineer's Report as Item #5, "County Road 27 Update" as Item #6, and "Oak Grove Ave Update as #7. Engineer Nelson asked that "Grey Fox Outlet" be added as Item #8 on Engineer's Report.

Chairman Lawrence mentioned that due to the earlier deadline in the PLA, items will have to be added from time to time going forward.

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

Items were added or changed as requested.

2) Consent Agenda

1) March 2014 Treasurer's Report

2) April 2014 Developer's Escrow Statement

3) April 7, 2014 Board Meeting Minutes

3) April 21, 2014 Fern & Birch Road Assessment Hearing Minutes

Supervisor Schommer made a motion to approve the Consent Agenda.

Supervisor Novak seconded the motion. Motion carried 5-0.

3) Reconvene of the 2014 Local Board of Appeal & Equalization

Supervisor Schommer made a motion to recess the May 5, 2014 Board Meeting.

Supervisor Kostik seconded the motion. Motion carried 5-0.

Supervisor Kostik made a motion to reconvene the 2014 Local Board of Appeal & Equalization. Vice Chair Kraft seconded the motion. Motion passed 4-0, with Supervisor Novak abstaining.

The minutes of the 2014 Local Board of Appeal & Equalization are under separate cover. The motions that pertain to the business of the May 5, 2014 Board Meeting are noted here.

Supervisor Schommer made a motion to close the 2014 Reconvene of the Local Board of Appeal & Equalization. Supervisor Kostik seconded the motion. Motion carried 4-0.

Supervisor Kostik made a motion to reconvene the May 5, 2014 Board Meeting.

Supervisor Schommer seconded the motion. Motion carried 5-0.

4) Open Forum

Deputy Leuck from the Scott County Sheriff's Department read the April 2014 Sheriff's Report to the assembled residents. When asked for questions or comments, Resident John Kane asked if residents were charged after false

burglar alarms. Deputy Leuck answered that generally people are charged after 3 false alarms. An unidentified resident asked about the use of recreational vehicles on township roads. Supervisor Schommer answered that it was against Township Nuisance Ordinance to operate a recreational vehicle on Township Roads, and he advised residents who are concerned about recreational vehicle use on the roads to call the Scott County Sheriff's Department.

No other business was presented by the assembled residents for Open Forum.

5) Old Business

1) Mediacom Representative.

Mediacom Representative Teresa Sunde attended the meeting. She presented information on Mediacom's newest offerings in the area and left brochures for the Supervisors and staff to share with the residents, if anyone is interested.

Chairman Lawrence asked about Mediacom's plans for expansion in the area. Ms. Sunde answered that at the current time, a minimal amount of build out is expected.

Vice Chair Kraft asked what income Credit River Township receives from Mediacom. Treasurer LeVoir reports that it is approximately \$5-6,000.00 per year.

Vice Chair Kraft asked what density Mediacom looks for when deciding whether or not to bring service to an area. Ms. Sunde answered that it was approximately 30 homes per cable mile, which is different than a linear mile.

Supervisor Kostik reports that a Mediacom solicitor did come to his home last week, and reminded Ms. Sunde that Credit River requires solicitor permits. Ms. Sunde will check into that incident and get back to the Chair. She will remind the sales team that Credit River requires solicitor permits.

Supervisor Novak asked Ms. Sunde if Mediacom was planning on going into Grey Fox. The tech who was with Ms. Sunde said he will look into it. Chairman Brent Lawrence also touched on the need to start negotiating the Mediacom Franchise Agreement renewal. He asked Township Attorney Bob Ruppe to please review the current agreement to see what the process is and who is required to pay for it.

6) New Business

1) Creekwood Park Update.

Resident T. Shaper, a Creekwood Blvd. resident, reports that in the Creekwood neighborhood, out of 98 households there are 60 kids who are middle school aged or younger. Ms. Shaper would like to see a set of Monkey Bars, perhaps a climbing apparatus known as a Spider Web, and a balance beam added to the Township Park in her neighborhood. Ms. Shaper says that there are currently only 3 swings and a baby swing, so more swings, too, would be most welcome. She stated that the number one most requested piece of play equipment is a spider web. An unidentified Creekwood resident also noted that the slide is in the sun so in the summer it gets too hot to use.

Resident Paul Newman recommends contacting the local Lion's Clubs as one of their goals is to provide playground equipment.

Chairman Lawrence told the residents that the Board would look into prices and he would get back to the resident in July.

2) County 2015-2019 CIP.

Clerk Quinn will scan and email the CIP to the Board Members. Vice Chair Kraft and Clerk Quinn will work together to send comments to the County, if necessary.

3) Deputy Clerk Computer.

The computer that the Deputy Clerk is using is now 6 years old. The regular clerk computer is about 2 years old. Supervisor Novak recommends replacement of the main clerk computer and disposal of the Deputy Clerk Computer. Supervisor Novak will get prices and update the Board.

7) Road Report.

Chairman Lawrence reports that we are off winter roads now. Residents should contact the Summer Roads Supervisors for Road needs until the snow flies again.

1) Sweeping.

Supervisor Schommer reports that 170th & 204th will be swept this week unless it rains.

Vice Chair Kraft reports potholes in Franciscan Retreat area.

Supervisor Kostik said that as soon as it dries up he will inspect the Bridge that Scott County asks that the trees be cleared away from.

Supervisor Novak reports that a portion of the shoulder in Grey Fox needs to be repaired. Supervisor Schommer says it is on the list.

8) Engineer's Report.

1) Award Bid for Fern & Birch.

Supervisor Schommer made a motion to accept Resolution 2014-13, Resolution to Award Bid for the Fern Drive and Birch Lane Improvement to the lowest responsible bidder, Valley Paving from Shakopee, MN, in the amount of \$498,184.73.

Supervisor Novak seconded the motion. Motion passed 5-0.

Vice Chair Kraft asked when the project will start. Engineer Nelson answered that the contractor said they were planning a mid-June start as long as "it dries up."

Northern Technologies, Incorporated submitted a proposal for a density test for the Fern Drive & Birch Lane Improvement Project.

Supervisor Novak made a motion to accept the proposal received for a density test on Fern & Birch, and enter into a contract with Northern Technologies, Inc. Supervisor Kostik seconded. Motion carried 5-0.

2) Sign Replacement. Engineer Nelson reported that a sign replacement draft is in place. He recommends having a meeting with Supervisor Schommer and perhaps getting a quote for sign cost. Engineer Nelson asked the Board if they would like to go to a minimum number of posts on every street. This is an important question because consistency is important, but would also be in the long run less maintenance.

After discussion, the Board agreed that it makes more sense in the long run to place multiple signs on one post, even though initially it will cost a little more.

3) Schedule Assessment Hearing for Overlay.

After discussion, the Board decided to schedule the Assessment Hearings for the Fern Drive & Birch Lane Overlays as a part of the June Board Meeting on Monday, June 2, 2014. The Board set the Cedar Lane, Cedar Court, Elm Court, Frontier Court, Crimson Court, Stoneridge Court, and Portions of Lynn Drive Assessment Hearing at 7 PM. The Board set the Hampshire Court Assessment Hearing for 7:30 PM. The Clerk will take care of the mailings and publishing as required.

4) Dakota Avenue Utility Permit.

A utility permit has been received from a property in New Market Township to place a utility on a Credit River Township right of way. Attorney Ruppe recommends a generic letter to the property owner to remind him of the indemnity agreement and inquire as to his plans for the parcel, as related to the access.

Vice Chair Kraft asked Attorney Ruppe to review the indemnity agreement and report to the Board Chair and Vice Chair, as Board representatives, the options the Board has in this matter.

As far as the utility companies involved, Vice Chair Kraft recommends a strongly worded letter enforcing any penalties allowed by ordinance.

5) Kaufman Diesel Spill on 185th. Vice Chair Kraft updated the Board on the Kaufman Diesel Spill clean-up. He reports that the neighbors are concerned about the length of time the clean-up from this spill is taking, and want to discuss run off issues.

6) County Road 27 Update. Supervisor Schommer reports that the County Road 27 Open House was well attended and many good resident comments were received. Supervisor Kostik reports that the continuing major issue is access concerns in the Casey Additions neighborhood.

At the direction of the Board, the Township Engineer has drafted an official letter outlining some Credit River Township concerns.

7) Oak Grove Avenue. Vice Chair Kraft received a call regarding monuments being placed in the Township Drainage and Utility Easement Right of Way at a property located on Oak Grove Avenue. Attorney Ruppe will call the property owner's attorney and inquire as to a remedy to remove the monuments. Attorney Ruppe will update Supervisor Schommer as the Board Contact on this matter.

8) Grey Fox Outlet. The Grey Fox Outlet has been completed and the final invoice has been received from the Contractor, Tim Murphy. Treasurer LeVoir reports that an invoice was received for \$10,021.82. Treasurer LeVoir recommended a new Board motion, as additional work was done and invoice was more than expected.

Vice Chair Kraft made a motion to approve payment to the contractor in the amount of \$10,021.82. Supervisor Kostik seconded the motion. Motion passed 5-0.

Engineer Nelson updated the Board on the meeting that Chairman Lawrence, Vice Chair Kraft, Tim Brown with Excelsior Group, the current developer of the lots in Territory Third Addition, and he had. Discussion centered upon that Territory III is thinking about going away from the community sewage treatment system and going towards individual well and septic.

Chairman Lawrence also mentioned that it possibly will be the first new developer's agreement in years.

9) Treasurer Report

- 1) Transfer Funds.** Treasurer LeVoir asked that a transfer of \$30,000.00 be approved from the Township Savings Account to the Township Checking Account to pay claims.

Supervisor Novak made a motion to transfer \$30,000.00 from the Township Savings Account to the Township Checking Account to pay claims. Supervisor Schommer seconded the motion. Motion passed 5-0.

2) Escrow Release / Update.

- a) Stonebridge Letter of Credit Fund Balance:** Treasurer LeVoir has prepared a resolution regarding the remaining funds of the Stonebridge Letter Of Credit.
- b) LaPointe Mediacom-** This is an escrow from a project that has been completed and all related expenses have been deducted from it.

Supervisor Kostik made a motion to release the balance of the LaPointe Mediacom Escrow in the amount of \$114.00 to the original submitter of such escrow, LaPointe Utilities. Supervisor Novak seconded the motion. Motion passed 5-0.

c) Clear Channel Radio, regarding wetland replacement.

This is an escrow related to wetland replacement. The project is complete and all related expenses have been deducted from it.

Supervisor Schommer made a motion to release the wetland replacement escrow to Clear Channel Radio to Anderson Engineering of MN, the original submitter of the escrow, in the amount of \$771.94. Supervisor Novak seconded the motion. Motion carried 5-0.

3) Transfer Funds Resolution. Treasurer LeVoir introduced Resolution 2014-14, Resolution to Transfer the Stonebridge LOC (Letter of Credit) remaining funds to the General Fund.

Supervisor Kostik made a motion to approve Resolution 2014-14, Resolution Approving Transfer of Stonebridge LOC Funds to the General Fund, in the amount of \$1,658. 26. Vice Chair Kraft seconded the motion. Motion carried 5-0.

4) Bank Updates.

Treasurer LeVoir offered some bank updates. Interest rates remain low due to the nature of the economy at the present time. However, Anchor Bank is interested in retaining the Credit River Township Account and they offer some business solutions for either free or at reduced rates to Credit River Township.

Additionally, Treasurer LeVoir has become aware of an opportunity to modernize the Credit River Township invoice payment system by transferring a few more accounts to ACH at no additional cost. The Board encouraged her to do so, and may look into expanding the system at some point. There are security and technological advantages to this system, including some potential cost savings.

Additionally, the Treasurer encouraged the Board to develop a Credit Card Policy. Supervisors Novak and Kostik will draft one and update the Board.

The Treasurer explained the option of investing cash on hand with the potential interest of .75%. After discussion, the Board did not feel it was worth pursuing at this time.

9) Clerk's Report

1) Publishing Requirements and Website Update.

Because of a new publishing deadline that is somewhat problematic for the Township needs, the Board is gathering information on what options are available to remedy this situation.

Clerk Quinn reports that the Monthly Board Meetings are not statutorily required to be published. MAT (Minnesota Association of Townships) attorneys have recently interpreted the requirement only that the "Clerk keep a schedule" of regular meetings. After discussion, the Board, realizing that some residents may find a publishing of the Town Board Meetings interesting and useful, has decided to keep publishing them for the time being; however, they will be published as "Drafts" and in an abbreviated format. For more details, the residents will be directed to the website, where, approximately 6 days before the regularly scheduled meetings the most detailed and up to date agenda will be published. Any additions or changes after that will be made at the meeting itself.

Also, since it is a significant yearly expense to publish the agendas and in addition only a summarized version will be published going forward, Supervisor Schommer asked that the issue on whether or not the Town Residents desired that the agenda continued to be published (anywhere but the website) be discussed at the Continuation of the Annual Meeting in September, and then perhaps again for an official motion from the residents in March at the Annual Town Meeting. The

Clerk will place the item on the Continuation of the Annual Meeting Agenda.

2) AUER Document.

The AUER Document, a Planning, Zoning, and Transportation Planning Document was supplied to the Credit River office as requested by Scott County. There have already been two opportunities to use the document for resident needs.

Unfortunately, as it was provided to the Township the document is not user friendly and every time it needs to be used it will take a significant amount of time to locate the information needed (due to it being supplied on disk and in about 15 different document pieces).

Supervisor Novak will attempt to put the document together and report back to the Board. .

10) Review & Pay Bills

Checks:	Paid To:	Amount:	Comments:
Paid Chk# 000252E	ANCHOR BANK	40.00	ACH/Check Scanner Fees
Paid Chk# 000253E	ANCHOR BANK - DEBIT CARD	176.95	Stamps/Office Supplies
Paid Chk# 000254E	EFTPS	1,614.05	FICA/Medicare/Fed WH
Paid Chk# 000255E	PERA	722.24	PERA
Paid Chk# 000256E	MINNESOTA REVENUE MW5	140.23	State WH
Paid Chk# 007693	AL NOVAK	752.65	April 2014 Srv Paid in May 2014
Paid Chk# 007694	BRENT LAWRENCE	928.12	April 2014 Srv Paid in May 2014
Paid Chk# 007695	CHRIS KOSTIK	781.11	April 2014 Srv Paid in May 2014
Paid Chk# 007696	LEROY SCHOMMER	1,066.64	April 2014 Srv Paid in May 2014
Paid Chk# 007697	LISA QUINN	XXXX	April 2014 Srv Paid in May 2014
Paid Chk# 007698	SARAH LEVOIR	XXXX	April 2014 Srv Paid in May 2014
Paid Chk# 007699	TOM KRAFT	735.51	April 2014 Srv Paid in May 2014
Paid Chk# 007700	CHAD G HOFFMANN	9.50	Release of Escrow
Paid Chk# 007701	GLENN KLOTZ	2,676.66	Release of Cedarwood Escrow
Paid Chk# 007702	ON-SITE MARKETING	97.92	Release of Cress View Escrow
Paid Chk# 007703	TED MCWILLIAMS	55.50	Release of Escrow
Paid Chk# 007704	AL NOVAK	16.80	April 2014 Expense Reimbursement
Paid Chk# 007705	ART JOHNSON TRUCKING INC	3,158.75	April 2014 Road Mtc
Paid Chk# 007706	CENTERPOINT ENERGY	140.08	Town Hall Gas

Paid Chk# 007707	CHORES AND MORE BY HEIDI INC	165.00	Town Hall Full Clean 4/1/14 & 4/29/14
Paid Chk# 007708	CHRIS KOSTIK	266.69	April 2014 Expense Reimbursement
Paid Chk# 007709	CITY OF LAKEVILLE	305.57	Judicial Road Shared Mtc Costs
Paid Chk# 007710	COURI & RUPPE, P.L.L.P.	2,210.00	Legal Fees
Paid Chk# 007711	DB SERVICES	125.00	April 2014 Town Hall Winter Mtc
Paid Chk# 007712	ECM PUBLISHERS INC	445.92	Legal Publishings
Paid Chk# 007713	FINANCE & COMMERCE, INC.	304.95	Capital Projects Ad for Bids
Paid Chk# 007714	GALLAGHERS	6,042.50	April 2014 Winter Road Mtc/Sweeping
Paid Chk# 007715	GE CAPITAL	140.01	Copier Expense
Paid Chk# 007716	GOLIATH HYDRO-VAC INC	1,100.00	Jet Culverts
Paid Chk# 007717	GOPHER STATE ONE CALL	13.05	Utility Locates
Paid Chk# 007718	HAKANSON ANDERSON ASSOC INC	20,750.57	Engineering
Paid Chk# 007719	INTEGRA TELECOM	551.76	Phone
Paid Chk# 007720	JOHN LEINENKUGEL	50.00	Mailbox Reimbursement
Paid Chk# 007721	JOSHUA/ABIGAIL ALBRIGHT	880.00	NPDES Escrow Refund (Reprocessed)
Paid Chk# 007722	LEROY SCHOMMER	20.16	April 2014 Expense Reimbursement
Paid Chk# 007723	LISA QUINN	86.68	April 2014 Expense Reimbursement
Paid Chk# 007724	MATIT	1,000.00	Litigation Shared Costs
Paid Chk# 007725	MIKES SEPTIC MINNESOTA	260.00	Town Hall Septic Pumping
Paid Chk# 007726	ASSOCIATION OF TWNESH	60.00	Urban Town Short Course -Clerk
Paid Chk# 007727	MURPHY LANDSCAPE & TILE	10,021.82	Grey Fox Drainage
Paid Chk# 007728	MVEC	708.51	Electricity

Paid Chk# 007729	NATURAL SYSTEMS UTILITIES MN	6,140.96	CSTS Monitoring
Paid Chk# 007730	PRECISION HOME CONSTRUCTION	440.00	NPDES Escrow Refund
Paid Chk# 007731	RAPID PRESS	80.00	Township Receipt Books Qrtly Pest Control
Paid Chk# 007732	ROVE PEST CONTROL	75.00	Service
Paid Chk# 007733	SAFETY SIGNS	475.00	Street Signs Pebblebrook Ct & 170th April 2014 Expense
Paid Chk# 007734	SARAH LEVOIR	50.00	Reimbursement
Paid Chk# 007735	SCOTT COUNTY TREASURER	4,254.30	1st Half Salt 2014 - 47.27 Tons
Paid Chk# 007736	SOUTHWEST NEWSPAPERS	466.70	Legal Publishings
Paid Chk# 007737	STEVE GORNY	50.00	Mailbox Reimbursement
Paid Chk# 007738	XCEL ENERGY	13.31	St. Francis Light

Total 73,768.16

1) Adjourn.

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

Supervisor made a motion to adjourn the May 5, 2014 Credit River Township Board Meeting. Supervisor Leroy Schommer seconded the motion. Motion carried 5-0.

Meeting adjourned at 10:08 PM.

Recorded by:

Lisa Quinn, Township Clerk

Approved by:

Brent Lawrence,

Chairman, Credit River Township