

**Credit River Township Board Meeting**  
**Monday, November 5, 2014,**  
**6pm**

**Meeting**  
**Minutes**

**The November 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 Chair 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

**1) Approve or Amend Agenda:**

Supervisor Schommer asked that "Drainage" be added as #2 under Road  
Report.

Engineer Nelson asked that "JB Woodfitter Easement Request" be added under  
"New Business."

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

Items were added as requested.

**2) Consent Agenda**

- 1) September 2014 Treasurer's Report**
- 2) October 2014 Developer's Escrow Statement**
- 3) October 6, 2014 Board Meeting Minutes**

**Supervisor Novak made a motion to approve the Consent Agenda. Vice Chair**

**Kraft seconded the motion. Motion carried 5-0.**

### **3) Open Forum**

P. Burck, 196<sup>th</sup> Street Resident, appeared before the Board to inquire about a drainage issue on his property in regard to a culvert that he believes is emptying onto his property from holding ponds in Grey Fox. Resident Burck reports that he is having problems mowing, and is also experiencing growth of “water plants” due to the moisture. Supervisor Schommer replied that he has inspected the culvert, that the culvert has been there since about 1965; and that in his opinion, is working properly. Vice Chair Kraft reminded the resident that it has been an extremely rainy year and there have been many other drainage issues throughout the Township due to that fact. Supervisor Schommer offered to meet with and inspect the drainage issue with the Township Engineer.

M. Jablonski, Harvest Hill Drive Resident, appeared before the Board to ask them to address a drainage issue in their neighborhood. Supervisor Schommer replied that the Township has looked at that issue, and thinks that a drainage pipe may help. Vice Chair Kraft says that although, once again, that it has been an extremely rainy year, the Board is planning on asking for FEMA grant money to assist with some of the drainage issues in the Township, and that Harvest Hills is a priority to the Board. Vice Chair Kraft told the resident that the Board will need to see what FEMA has to offer, if anything, before they could put together a plan with a firmer timeline. Chairman Lawrence asked the Clerk to place “Harvest Hills Drainage” to the March 2015 Board Meeting Agenda.

E. Hudak, a Casey Parkway Resident, appeared to speak about the stop sign that has been changed to a yield sign at John Deere Drive & Casey Parkway. He questions what studies were done at that intersection to justify the change.

Engineer Nelson replied that the change was based upon the Minnesota Uniform Traffic Control Standards. The study recommends stop signs at intersections that handle 2000+ movements per day; and that the movements at that intersection were more than likely less than 1000 per day.

After discussion, the Board decided to change the sign back to a stop sign.

**Supervisor Schommer made a motion to remove the yield sign and place a stop sign in its place at John Deere Drive and Casey Parkway. Supervisor Novak seconded. Motion passed 5-0.**

The Scott County Sheriff's Deputy appeared at the meeting with the October

2014 Sheriff's Report. He reported that barking dog complaints and false burglar alarms were up a little for October, 2014. He also cautioned against the posting of personal information online, such as vacation photos and information on social media websites, as that information is suspected to trigger many break-ins.

T. Conroy, Johanna Drive Resident, appeared before the Board to ask if another sweeping job would be done. He requests it be done because otherwise he may end up with a lot of rocks in his yard in the spring. He also mentioned that there were potholes on John Deere Drive. Supervisor Kostik replied that a sweeping will be scheduled for the early spring.

Resident C. Shulte asked the Board where the water from Thies farm would go if it drains out to the Road. She states that the ditch is already full of standing water without anywhere to flow out. Supervisor Schommer stated that the ditch is a County Ditch, and that it would be a County issue if it was full or not flowing.

There being no other new business presented by the assembled residents for Open Forum, it was closed.

#### **4) Old Business**

##### **1) Transportation Sales Tax Request Review**

Vice Chair Kraft would like to put forth for consideration the 170<sup>th</sup> Street Bike path as a transportation sales tax funded project. Scott County is asking for individual cities and Townships to suggest possible projects. Vice Chair Tom Kraft will look into possible Credit River Projects to submit for consideration.

##### **2) 2015 Road Projects Update**

The 2015 Road Improvement Hearings will be held at Fire Station #1 on November 10, 2014 starting at 6 PM. Affected residents have been noticed, and the individual improvement hearing notices have been posted and published. A Town Board Meeting will be held immediately following the improvement hearings.

##### **3) Sign Proof**

The sign proof for the "Welcome to Credit River" signs has been approved. They will be ordered and installed.

##### **4) 19555 Oak Grove Avenue Update**

Attorney Ruppe reports that the "As Built" for the easement encroachment on 19555 Oak Grove Avenue has been received, however, the property owner still has not responded to the request for reimbursement for the construction damage to the Town Road. After discussion, the Town Board was advised to table the matter, in order that more discussion can be conducted between the Town & Property Owner's attorneys. Chairman Lawrence asked that the matter be placed on the December Board Meeting Agenda. Chairman Lawrence asked that Attorney Ruppe invite the property owner's

attorney Larry Severson to the meeting to expedite the resolution of this matter.

#### **5) CSAH 8 Update**

Vice Chair Kraft attended the CSAH 8 Reconstruct/ Re- route open house, and updated the Board on the progress. There have been a couple inquiries regarding specific routings through Credit River that the Board has been asked to weigh in on. The project continues in the planning phase and Vice Chair Kraft will keep the Board and residents in attendance updated. Any resident who wishes to attend the County sponsored CSAH 8 Open Houses are welcome to, as well.

Scott County Road Officials have approached the Township regarding a road recording request, basically asking that a frontage road they plan on constructing be deeded to the Township initially, versus being built and deeded to the County, and then later turned over to the Township. Attorney Ruppe stated that it really doesn't raise any legal issues, if the Township plans on accepting the Road, anyway. Supervisor Schommer mildly objected the process, stating that he didn't see the reason for the change in procedure. Vice Chair Kraft stated that JPA (Joint Powers Agreements) would be required before anything was built. Chairman Lawrence commented that the Township should not have any expenses before the road was turned over, therefore, if it was a way in that the County would benefit by not having legal expenses beforehand, and thereby transferring those expenses to the Township, then he was not for the idea. After discussion, the Board directed Engineer Nelson to communicate with the County that if the Board's interests are protected, they had no objection to the procedure.

## **5) New Business**

### **1) Scott County JPA**

Treasurer LeVoir reports that the 2015-2016 Scott County Assessment Services JPA Estimated charges have come out. The estimates are as follows:

\$41,500.00 for assessment year 2015

\$43,200.00 for assessment year 2016

Treasurer LeVoir recommends a motion in order for the Board to acknowledge the estimates, if they accept them.

**Supervisor Novak made a motion to accept the Scott County JPA estimates for Scott County Assessment Services for 2015-2016. Supervisor Kostik seconded the motion. Motion carried 5-0.**

### **2) Liquor License Heritage Links**

The Heritage Links Liquor License Application Renewal was submitted for approval.

**A roll call was called for the Heritage Links License Request. The Roll Call vote went as follows: Chairman Brent Lawrence: Aye; Vice Chair Tom Kraft: Aye; Supervisor Kostik: Aye; Supervisor Schommer: Aye; Supervisor Novak: Aye. Resolution to approve Heritage Links License Request was approved.**

The Clerk was asked to return the completed license request acknowledgement over to the applicants, along with the information that the license request procedure for next year would be changing.

### **3) Flag Trail- Spring Lake Township JPA**

Vice Chair Kraft and Supervisor Schommer attended the last Spring Lake Township Board Meeting to discuss with the SLT (Spring Lake Township) Board the 429 process that would have to be done in order to tax assess the properties in Spring Lake Township that would benefit from the Flag Trail reconstruct/repair. Vice Chair Kraft updated the Credit River Board that the SLT Board asked to have a JPA (Joint Powers Agreement) in place if the project moved forward.

Vice Chair Kraft also updated the Board on the meeting that he and Engineer Nelson had with the Clerk of Spring Lake Township regarding the 429 process for the Flag Trail Improvement benefitting properties that are in Spring Lake Township. The Spring Lake Board will be updated by their clerk, and the Spring Lake Board will communicate what further action they will take on Credit River's request for assistance in this matter.

### **6) Road Report.**

#### **1) Snowplowing**

Supervisor Novak reported that since one of the two snowplowing contractors that Credit River Township had under contract has decided to no longer plow in Credit River, the other regular contractor has offered to take over the work in that half of the Township. Supervisor Novak suggests that the remaining contractor be paid the entire retainer. Retainers are a required and important part of the snowplowing business.

**Supervisor Novak made a motion to double the retainer for snowplowing to Gallagher's. Supervisor Schommer seconded. Motion passed 5-0.**

## **2) Drainage.**

Supervisor Schommer reports that there is a drainage issue on 175<sup>th</sup> from Murphy Lake Blvd. to Natchez. There is an issue with a field drain out there and it will be taken care of next week.

He also reports that the ditch on Prairie Grass Pass has been cleaned out.

## **7) Engineer's Report.**

### **1) Fern & Birch Pay Estimate**

Engineer Nelson presented to the Board a Fern & Birch Pay Estimate from the contractor, Valley Paving. Because of an ongoing discussion regarding quantities, Engineer Nelson recommended payment of the Pay estimate submitted to the Town by the Contractor, except for disputed items #14 & #15, in the amount of \$273,419.66.

A representative of Valley Paving, Attorney Aaron Dean, made several comments regarding Valley Paving, Inc.'s position in the matter.

After Board discussion and analysis of the situation, a motion was made.

**Supervisor Schommer made a motion to pay the Fern & Birch pay estimate, with the exception of items #14 and #15, in the amount of \$273,419.66. Supervisor Kostik seconded. Motion passed 5-0.**

### **2) Territory Water Connection**

Engineer Nelson updated the Board on the planned Territory Water System interconnect. This will obtain Township comment/ review/ approval via a Utility Permit, but has not been received by the Township as of yet.

### **3) JB Woodfitter Easement Request**

A representative from JB Woodfitter is requesting an encroachment across a Township Easement for an underground sewer pipe. Attorney Ruppe recommends a specialized encroachment agreement to ensure that the placement of the pipe will continue to conform to Township right of way standards into the future.

Attorney Ruppe will craft the agreement, subject to engineer review, and email it to the applicant. The applicant will have the property owners' sign, and when that is finished, submit it to the Township for Chairman & Clerk signatures, along with the required escrow to cover the fees. The Clerk will promptly file the agreement as soon as all these steps have been taken, so not to delay the building permit process unnecessarily.

**Supervisor Kostik made a motion to enter into an encroachment agreement with the property owners of Harvest Hills Lot 1 Block 1 for an underground sewer line; subject to the placement of an escrow in the amount of \$200 and attorney review. Supervisor Schommer seconded. Motion carried 5-0.**

### **8) Treasurer Report**

**1) Transfer Funds.** Treasurer LeVoir asked that a transfer of \$295,000 be approved from the Township Savings Account to the Township Checking Account to pay claims.

**Vice Chair Kraft made a motion to transfer \$295,000.00 from the Township Savings Account to the Township Checking Account to pay claims. Supervisor Kostik seconded the motion. Motion passed 5-0.**

## **2) CSTS (Community Sewage & Treatment Systems) Budget 2015**

Treasurer LeVoir presented the 2015 CSTS Budget to the Board for review and approval. Summaries of the findings of the Budget Review that she conducted with Shane Symmank, Credit River Township NSU (Natural Systems Utilities) liaison, and Supervisors Kostik & Novak, are as follows:

Treasurer LeVoir discussed the MHSP (Monterey Heights South Passage) Estimated Revenues and Expenses. MHSP monthly fees are currently \$104.00/ per month. Treasurer LeVoir notes that after review, this monthly fee is adequate for MHSP CSTS needs at this time.

**Supervisor Novak made a motion to accept the Monterey Heights South Passage Estimated Revenue and Expenses and keep the 2015 MHSP monthly fee rate at \$104.00. Supervisor Kostik seconded. Motion passed 5-0.**

Next, Treasurer LeVoir discussed the Stonebridge CSTS Estimated Revenue and Expenses. Stonebridge monthly CSTS fees are currently \$95 per month. Treasurer LeVoir did mention a pending repair issue that may have an impact on operating costs in that system.

Board discussion then centered upon a nitrate issue in the system that has been identified. Since the costs associated with this issue should not impact operating costs, but rather be a one-time repair event, the Board felt that it would be best handled with a special assessment when the time came. Supervisor Novak will communicate with the HOA Board regarding the nitrate level issue and the pending repair and costs.

**Supervisor Kostik made a motion to accept the Stonebridge Estimated Revenue and Expenses and keep the 2015 Stonebridge monthly fee rate at \$95.00.**

**Supervisor Schommer seconded. Motion passed 5-0.**

Next, Treasurer LeVoir discussed the Territory CSTS Budgeted Revenues & Expenses. Currently, the monthly rate in Territory for their CSTS service is \$60.00 per month.

Treasurer LeVoir noted that the program budget reserves (operating cash on hand) have been slowly being reduced throughout the past couple of years in the Territory CSTS Operating Budget. Board discussion centered upon different methods to increase the monthly rate in order to stop the reduction of reserves (needed for operating expenses), and bring the rate and reserves back up to a more accurate level to fund the system adequately.

Supervisor Schommer recommended that the necessary increase in rate begin in steps starting in 2015, at \$10 additional per month, making the 2015 rate \$70.00 per month. After Board discussion, it was decided to discuss the options with the HOA Board of Territory 2 & 3, and let them communicate what they feel the best available option for their residents would be. This will be placed on the Board Meeting Agenda in December to be decided by the Board using the information collected from this meeting.

### **3) 2014 Special Assessments- Update**

Treasurer LeVoir updated the Board on the 2014 Special Assessments that have been received by the Township. November 15 is the deadline for Fern & Birch Improvement, the Residential Overlay (Cedar Lane, et. al.), and the Hampshire Court Overlay Assessments to be received by the Township. The assessment amounts must be paid in full or they will be certified to property taxes after that date.

Historical and current prepayments of assessments will need to be analyzed in conjunction with Bonding.

**9) Clerk's Report**

**1) Election Update**

The Clerk updated the Board on the 2014 General Election polling process, held at the Town Hall polling place the day before the meeting. The total number of on premise voters the hall handled the day before was approximately 2,040. 90 persons registered on premise. There were no major issues and balancing was done quickly and efficiently after polling hours closed. Clerk Quinn was praised for the positive feedback the Board received on the voting process.

The space constraint of the Town Hall as the polling place was discussed. Several issues were identified, along with possible solutions. In the end, no decisions were made, because the extent of the repairs to the Town Hall is still to be determined.

**2) Town Board Meeting Update**

Due to repairs and updates to the Town Hall, all Board Meetings will be held at Prior Lake Fire Station #1 until further notice. Please reference the website for any further updates.

**3) 2015 Meeting Schedule**

The 2015 Town Board Meeting Schedule Draft was present and approved by the Board.

## 10) Town Hall

Chairman Lawrence submitted a report from St. Croix Environmental & Safety, the company that initially inspected the Town Hall and determined that an outside wall needed mold remediation. Vice Chair Tom Kraft updated the Board on the costs of the HEPA filter used to clean the air for the election process, and it was determined after discussion that since staff would be working out of the Prior Lake City Offices, that the filter could be disconnected and returned to the company to save unnecessary cost.

After Board discussion of the quote for an exterior wall inspection, a motion was made.

**Vice Chair Kraft made a motion to accept the St Croix Environmental & Safety and Serve Pro estimates for analysis of the Town Hall outside wall. Supervisor Kostik seconded. Motion carried 5-0.**

Other discussion here included: Due to the Veteran's Day holiday, the Prior Lake City Hall will be closed; therefore Credit River Town Offices will not be accessible to the public. A Closed Office notice will be placed on the website and Town Business will not be conducted that day due to the designated holiday.

Additionally, the Board and Town Attorney discussed the Rydeen violation and claims made by Valley Paving.

## 11) Pay Claims.

Checks:	Paid to:	Amount:	Comments:
Paid Chk# 000282E	ANCHOR BANK	40.00	ACH/Check Scanner Fees
Paid Chk# 000283E	VISA COMMUNITY CARD	566.05	Stamps/Posting Board/iContact/Office Supplies
Paid Chk# 000284E	EFTPS	1,740.38	FICA/Medicare/Fed WH
Paid Chk# 000285E	PERA	848.10	PERA
Paid Chk# 000286E	MINNESOTA REVENUE MW5	165.99	State WH
Paid Chk# 007979	CHECK VOIDED	0.00	Voided Check for Scott Cty ACH Payment Set Up
Paid Chk# 007980	AL NOVAK	641.83	October 2014 Srv Paid in November 2014
Paid Chk# 007981	BRENT LAWRENCE	850.86	October 2014 Srv Paid in November 2014
Paid Chk# 007982	CHRIS KOSTIK	653.67	October 2014 Srv Paid in November 2014
Paid Chk# 007983	LEROY SCHOMMER	761.89	October 2014 Srv Paid in November 2014
Paid Chk# 007984	LISA QUINN	XXXX	October 2014 Srv Paid in November 2014
Paid Chk# 007985	SARAH LEVOIR	XXXX	October 2014 Srv Paid in November 2014
Paid Chk# 007986	TOM KRAFT	771.88	October 2014 Srv Paid in November 2014
Paid Chk# 007987	AL NOVAK	65.63	October 2014 Expense Reimbursement
Paid Chk# 007988	ART JOHNSON TRUCKING INC	950.00	Summer Road Mtc 2014
Paid Chk# 007989	BOHNSACK EXCAVATING INC.	4,104.28	Culvert - Flag Trail October 2014 Expense
Paid Chk# 007990	BRENT LAWRENCE	57.12	Reimbursement
Paid Chk# 007991	CENTERPOINT ENERGY	36.38	Town Hall Gas
Paid Chk# 007992	CHORES AND MORE BY HEIDI INC	95.00	Town Hall Full Clean - 09/23/2014
Paid Chk# 007993	COURI & RUPPE, P.L.L.P.	2,592.50	Legal Fees
Paid Chk# 007994	DALE KUCHINKA	3,256.00	Spring/Fall 2014 Ditch Mowing

Paid Chk#			Agenda - 10/06/2014 Board Meeting
007995	ECM PUBLISHERS INC	30.24	
Paid Chk#			
007996	GE CAPITAL	140.01	Copier Expense
Paid Chk#			
007997	GOPHER STATE ONE CALL	31.90	September 2014 Utility Locates
Paid Chk#			
007998	HAKANSON ANDERSON ASSOC INC	18,239.66	Engineering
Paid Chk#			
007999	HEATHER L MONSERUD	955.00	NPDES Escrow Refund
Paid Chk#			
008000	INTEGRA TELECOM	557.72	Phone
Paid Chk#			
008001	JB WOODFITTER AND ASSOCIATES	841.00	NPDES Escrow Refund
Paid Chk#			
008002	LECY BROS HOMES	440.00	NPDES Escrow Refund
Paid Chk#			October 2014 Expense
008003	LISA QUINN	71.45	Reimbursement
Paid Chk#			
008004	MALLERY POOL CONSTRUCTION	895.00	NPDES Escrow Refund
Paid Chk#			
008005	MARKS BOBCAT SERVICE, INC.	1,000.00	Parks Mowing - October 2014
Paid Chk#			Litigation Shared Cost &
008006	MATIT	1,025.00	Insurance Premium
Paid Chk#			
008007	MATT OR ERIN LIND	1,490.00	NPDES Escrow Refund
Paid Chk#			
008008	METRO SALES , INC. MINNESOTA	92.27	Copier Qtrly Mtc Contract
Paid Chk#			
008009	ASSOCIATION OF TWNSH	210.00	2014 Annual Conference Fee (2 Supervisors)
Paid Chk#			
008010	MSC	7,447.50	CSTS Mowing - 2nd Event
Paid Chk#			
008011	MVEC	628.31	Electricity
Paid Chk#			
008012	NATURAL SYSTEMS UTILITIES MN	10,345.27	CSTS Monitoring
Paid Chk#			Road Projects 2014 - Testing
008013	NORTHERN TECHNOLOGIES, INC	192.50	Srvs
Paid Chk#			Training Wages/Clerk Sub
008014	PARI SCHILZ	120.00	Wages
Paid Chk#			October 2014 Expense
008015	SARAH LEVOIR	93.01	Reimbursement
Paid Chk#			Cont. of Annual Meeting - Legal
008016	SOUTHWEST NEWSPAPERS	25.18	Publishing
Paid Chk#			October 2014 Expense
008017	TOM KRAFT	11.20	Reimbursement
Paid Chk#			Fern & Birch Reconstruct - Pay
008018	VALLEY PAVING, INC.	273,419.66	Estimate #2
Paid Chk#			
008019	XCEL ENERGY	13.07	St. Francis Light

**Total 340,392.21**

**12) Adjourn.**

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

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

Meeting adjourned at 9:42 PM.

Recorded by:

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Lisa Quinn, Township Clerk

Approved by:

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Brent Lawrence,  
Chairman, Credit River Township

