

Credit River Township Board Meeting

Monday, March 2, 2015, 6pm

Meeting Minutes

The March 2, 2015 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:

Clerk Quinn asked that "Annual Meeting Update" be added to Clerk's Report as Item #2.

Supervisor Novak asked that "Miscellaneous IT" be added to New Business as Item # 5.

Treasurer LeVoir asked that "CSTS 2014 Operations" and "Time Off" be added to Treasurer Report as Items #4 and #5.

Attorney Ruppe asked that "19555 Oak Grove Avenue" be added to the agenda under Old Business as Item #5.

Supervisor Schommer made a motion to approve the amended agenda.

Supervisor Kostik seconded. Motion passed 5-0.

Items were added as requested.

2) Consent Agenda

1) January 2015 Treasurer's Report

2) February 2015 Developer's Escrow Statement

3) February 2, 2015 Meeting Minutes

4) February 11, 2015 Board of Audit Meeting Minutes

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

3) 2014 Audit Report Presentation

Mr. Kevin Knopik, a manager at Abdo, Eick & Meyers, LLP went over the Credit River Township Annual Financial Audit. It was noted that the Township financials for the year ended December 31, 2014, were in good order. The 2014 Audit Report is available for review as a public document in the Township Offices. Township Treasurer LeVoir was recognized for her good work in the year ended 2014.

4) Highway 27 Corridor Study

Andy Hingeveld, Scott County Highway Senior Planner, presented the highlights of the CSAH 27 Corridor Study-Final Document. Supervisor Kostik asked Mr. Hingeveld specifically about some input that he and Supervisor Schommer had offered during the design process on behalf of the Credit River residents. Some of the suggestions that they have made did not appear in the document that the Scott County Highway Department is calling the “final” draft.

After Board discussion, and since there are some reservations on the current road design and some further details that the Credit River Board would like to be worked into the design, Engineer Nelson and Attorney Ruppe recommended that the Board adopt the “Resolution of Support of the Design” that has been offered with a sentence added that states: “Whereas, Credit River Township desires that Scott County further explore local road connection and access points upon final design.”

Supervisor Kostik made a motion to adopt Resolution 2015-16, contingent upon the addition of the sentence stated above. Supervisor Schommer seconded the motion. Motion passed 5-0.

Clerk Quinn was asked to listen to the transcript and email the verbiage stated to Mr. Hingeveld at Scott County. Mr. Hingeveld will add the contingency to the Resolution and email it to the clerk for signatures.

5) Open Forum

Calling for, but hearing no items for Open Forum, it was closed by Chairman Lawrence.

6) Old Business

1) Harvest Hills Drainage Update

Engineer Nelson reminded the Board that the project was put forth for a FEMA grant, however the awarding body for the grant did not consider the proposed project for any funds. Engineer Nelson said that if the Board wanted to consider the project at this time, he would be able to provide quotes.

Supervisor Kraft stated that if the project will be considered for this year, the decision would have to be made soon as the window of opportunity to plan it is now.

Chairman Lawrence asked Clerk Quinn to add it the Credit River Township April Board Meeting Agenda.

2) Escrow- Review Fee Update

Supervisor Schommer wanted to review the escrow requirements for additions and in-ground pools in Credit River Township. Because of recent costly damage to Township Roads related to these types of improvements, after discussion, the Board recommended an increase to these NPDES (Soil & sediment Control Security) escrows. The new escrow amounts that will be required will be: NPDES Inspection Escrow

for an In-ground Pool: \$1,500.00; NPDES Inspection Escrow for shed or addition up to 1,000 Sq. feet: \$1,000.00; and NPDES Inspection Escrow for Shed or Addition greater than 1,000 sq. ft.: \$1,500.00.

Attorney Ruppe will craft an Ordinance Amendment that will be reviewed at the April 6, 2015 Board Meeting.

3) Cable Franchise Renewal

Chairman Lawrence reports that the Integra and Mediacom Franchise agreements are both scheduled for renewal. Attorney Ruppe recommends that the affected franchises be asked to send him the current agreements so he can review them and recommend changes, if necessary. Chairman Lawrence will request those from Integra and Mediacom.

Supervisor Schommer asked that the time period of the agreement be 3 years this time, instead of 5, as has been done in the past; this would be in case the market situations change.

Resident Tom Wolf asked from the audience if there is a state law that requires franchises to serve all residences within a community versus “cherry picking” more profitable areas for service. Attorney Ruppe will look into whether there is any statute and whether the language requires service to all areas.

4) CR 8 Comments

Supervisor Schommer would like an agreement with Scott County in place to protect Credit River Township interests on the work being done on CSAH 8. Attorney Ruppe recommended that if the County was planning on doing work in the Township right of way, that an agreement

would become necessary to hold harmless and indemnify Credit River Township should anything happen. He also recommended as a condition of the agreement that the Credit River Township Engineer review plans previous to the work at their expense. Attorney Ruppe said that it would be similar to an Encroachment agreement.

Attorney Ruppe will draft an agreement for Credit River Township and send it to Scott County Highway Department for their approval.

Additionally, Engineer Nelson has created a memorandum outlining Credit River Township concerns / comments regarding the CSAH 8 reconstruction. A response will be requested.

5) Planning & Zoning

Chairman Lawrence and Supervisor Schommer met with Scott County Administrator Gary Shelton about some Planning & Zoning issues that have arisen over the last year. County Staff then had a conversation with Clerk Quinn. It is hoped that an understanding for a more productive working relationship be reached.

Clerk Quinn updated the Board on County staff's response to our inquiry regarding Township Easement protection. County staff recommends that the Township or Townships create and enact their own ordinance regarding Township Easement protection. Vice Chair Kraft asked Attorney Ruppe to draft a County- wide ordinance protecting Town interests, and present it at the Scott County Township Association meeting, to gauge interest in all of the Townships in joining together on a Town Easement Ordinance.

Board discussion then centered around one of the property improvements in the Township that has spurred on this discussion- a sport court constructed upon a Town Easement. Although Attorney Ruppe outlined various Town remedies up to and including removal of the improvement, Chair Lawrence urged that other less intrusive

measures be attempted first. There is a possible alternate drainage easement location, however, it will require a site inspection to see if this is a possible remedy. A letter will be sent to the property owner informing them that they have built a sport court over the Township easement. Supervisor Schommer and Engineer Nelson will also schedule and conduct a site visit.

Clerk Quinn updated the Board on a recent lot line configuration that was done in the Township but not properly recorded. One lot owner has filed the correct paperwork, but the other has not. Supervisor Schommer asked that the property owner who has not responded be contacted again.

6) 19555 Oak Grove Avenue Update

Attorney Ruppe updated the Board on the status of the outstanding issues with this property owner.

- 1) Amended Encroachment Agreement. Since ongoing work is being performed in the Township Drainage Easement, Attorney Ruppe recommended approving the agreement contingent upon obtaining the \$5000 escrow and reimbursement for previous damages.
- 2) South Stormwater pond. Property owner's attorney was informed that this matter will be continued to the next Credit River Township Board Meeting, as there is a revised plan due to be reviewed by the Town Engineer before work can be commenced.
- 3) Attorney Ruppe discussed the \$5,000 escrow owed to the Township for damages. The property owner's attorney assured Mr. Ruppe that the Town would receive it before the next meeting. Mr. Ruppe told the property owner's attorney that certification of fees and expenses to property taxes was an option that the Town was prepared for if escrow for the fees and expenses was not received.

Since the property owner disputes the majority of prior damage to the road, but continues to do heavy equipment work in the area, Supervisor Schommer recommended taking current pictures of the road, to document the condition over a period of time that could attribute cause to any further damage.

After discussion, the Board made two motions.

Supervisor Schommer made a motion to approve the amended encroachment agreement contingent on the property owner of 19555 Oak Grove Avenue paying all the expenses related to drafting the agreement; and contingent upon the property owner placing the previously discussed and agreed to \$5000 Escrow for future review work. Vice Chair Kraft seconded. Motion passed 5-0.

Vice Chair Kraft made a motion to approve the settlement as negotiated, \$5000.00 for past damage to the road, due from the property owner upon the Town contracting to have the work performed, within 2 years. The \$5000.00 would be placed in an escrow account and will be returned to the person placing the escrow, without interest, if the funds are not used within two years. Supervisor Novak seconded. Motion passed 5-0.

7) New Business

1) Spring Short Course

Minnesota Township Spring Short Courses will be going on in March throughout the state. Supervisor Schommer plans on attending on behalf of the Township.

The Legal Short Course (previously the Urban Township Short Course) is on the same day as the Credit River LBAE (Local Board

of Adjustment); so no one from Credit River will be attending that this year.

2) Owens Development New Market Township

Vice Chair Kraft attended the DRT (Development Review Meeting) Scott County hosted regarding the Owens Development, bordering Credit River Township in New Market Township. Mr. Owens was informed that he will need to place an escrow with Credit River Township for ongoing work on his Development process, since it appears his plan includes accessing a Credit River Township Road.

3) Assessment Notice Interest Rate / Term

Treasurer LeVoir asked the Board for direction to set the interest rate and terms for the Assessment Letters that will be mailed for the upcoming Assessment Hearings for the 2015 Overlays.

After discussion, the Board decided to use a 6% interest rate for the term of 10 years. The 6% rate will be considered a placeholder until such time as the Bonds for the project are sold; then the rate will be set in accordance with statute at 2% above that rate.

Vice Chair Kraft made a motion to set the placeholder for the 2015 Overlay Assessment Hearing Letters at 6% and the maximum term of certification to property taxes at 10 years. Supervisor Kostik Seconded. Motion passed 5-0.

4) Recycling Day

The City of Savage will be holding their Recycling Collection Day on Saturday, May 2, 2015, at Savage Community Park. The event will take place from 8 AM until 12 noon.

Chairman Lawrence made a motion to transfer the Credit River Township allocation of Recycling Day funds to Savage, so that

residents here can take advantage of Savage's well run and large scale event. This is in accordance with past practice.

The Board would like to place ads in the official town publications for the Recycling Day.

Chairman Lawrence made a motion to transfer the Credit River Township Recycling Funds to the City of Savage, and authorize the Clerk of Credit River to spend up to the amount of \$600.00 for ads in the Credit River official publications, to encourage Credit River Township residents to participate in the City of Savage Recycling Day Event. Supervisor Schommer seconded the motion. Motion passed 5-0.

4) Miscellaneous IT.

Supervisor asked for Board direction on some specifics as to the set-up of the "dropbox" of agenda items (new software) the Board will be using to access the agenda documents used in the meeting. Attorney Ruppe reminded the Board that non-public data would need to be redacted from the documents before allowing public access. Supervisor Schommer and Vice Chair Kraft recommend a test period first to be sure the use of the system is understood well by the Board & Staff before opening miscellaneous documents up in that manner.

Additionally, Supervisor Novak reports that the refurbished iPads and the New Clerk PC has been received and is in the final stages of being set up. He also reports that the Treasurer PC is due to be upgraded and will have to be budgeted for, as the requirements of the Banyon software will likely render it outdated.

8) Road Report

Supervisor Schommer reports that the Town Roads are in good shape and that the 2014-2015 snowplowing expenses are under budget fiscal YTD (year to date). If it warms up, he will fill a few potholes, including one on Flag and one on Creekwood. Supervisor Novak reports some cracking in the Hills of Credit River, but notes that is scheduled for crack filling this summer.

9) Engineer's Report.

1) Sign Replacement

Engineer Nelson recommends updating the Sign Inventory Map for the Township for the quarter of the Township that has been redone, to be used in conjunction with the Sign Replacement program.

Engineer Nelson asked for Board direction on requesting quotes for the sign replacement program in the southern portion of the Township, with the exception of the new developments. In his opinion, the signs in the new developments are less than 15 years old and likely to still be within their usable life. He suggests those be monitored and all others in that section be slated for replacement in accordance with federal mandates.

Supervisor Kostik mentioned that the previous contractor did a good job for a good price. He also asked if the remaining entrances to the Township should be slated for "Welcome to Credit River" signs. The Board agreed that it should.

Engineer Nelson is not aware of any federal funds being disbursed for the mandated sign replacements.

2) 2015 Overlays.

a) 2015 Overlay Projects

The Board discussed feedback from affected residents who attended the 2015 Overlay Projects (Century Court and Kane Avenue, Casey & Killarney, and 196th St. E and Southfork) Improvement Hearings. Engineer Nelson reports that the Board now determines whether or not the Town is going to move forward on these projects.

Board discussion centered upon CUP's operating in the Casey & Killarney project area and the attributable table wear & tear on the Road. Engineer Nelson recommended a report on the CUP's issued in the area be requested to aid the Board in studying the issue more closely.

After Board discussion, the following motions were made.

Supervisor Kostik made a motion to approve Resolution 2015- 16,17 & 18 Ordering the Improvements to Kane & Century, 196th & Southfork, and Casey & Killarney. Supervisor Novak seconded. Motion passed 5-0.

Vice Chair Kraft made a motion to approve Resolution 2015- 19, 20, & 21, Ordering Plans & Specs for Kane & Century, 196th E and Southfork, and Casey & Killarney. Supervisor Kostik seconded. Motion passed 5-0.

Supervisor Novak made a motion to approve Resolutions 2015- 22, 23 & 24, Reimbursement Resolutions for Kane & Century, 196th & Southfork, and Casey & Killarney. Supervisor Novak seconded. Motion passed 5-0.

3) 2015 Improvement Projects

Engineer Nelson reminds the Board that the Assessment Hearings for Rolling Oaks Court, Gensmer Circle, Flag Trail, and Valley Oaks First Addition will be held on March 23, 2015.

The meetings will be held at Prior Lake Fire Station #1, as previously advertised.

Engineer Nelson asked for Board direction on notifying the affected residents of the special impacts previously discussed regarding affecting the Valley Oaks First Addition project area. The Board agreed that all resident concerns would be answered thoroughly, and if any resident requested a special meeting during the Valley Oaks Assessment Hearing that they would be glad to meet with them.

10) Treasurer Report

- 1) Transfer Funds.** Treasurer LeVoir asked that a transfer of \$45,000 be approved from the Township Savings Account to the Township Checking Account to pay claims.

Supervisor Kostik made a motion to transfer \$45,000.00 from the Township Savings Account to the Township Checking Account. Supervisor Schommer seconded the motion. Motion passed 5-0.

2) Audit Update

Treasurer LeVoir reports that the audit went smoothly, however, there was some additional staff time for the report review this year.

3) Gas Tax- Town Road Tax

The gas tax is now called the Town Road Tax, and going forward the tax will be disbursed to LGU's (local governing units) by number of road miles. This year, Credit River Township received \$37,185.38 in Town Road Tax proceeds.

4) CSTS Operations

Shane Symmank, the Natural Systems Utilities Project Manager assigned to the CSTS (Community Sewer Treatment Systems) in Credit River Township, will be giving the 2014 Year End CSTS Reports at the April 6, 2015 Town Board Meeting.

10) Clerk's Report

1) Town Election Update

Clerk Quinn updated the Board on some last minute details regarding the upcoming Town Election that will be held on March 10, 2015. The polling location will be the Town Hall and the Town Offices will be closed due to the election.

2) Annual Meeting Update

The Board discussed last minute details regarding the Annual Meeting which will be held on March 10, 2015 at 8:30 PM. The Annual Meeting will be held at the Fire Station #1 Conference Room in Prior Lake.

Additionally, the Clerk reminds the Board that County staff representing Scott County Elections will be attending the April 6, 2015 Board Meeting to answer any questions the Board may have regarding the direction of Scott County elections, and in particular the Credit River precinct.

11) Town Hall

Chairman Lawrence will inform the Prior Lake City Officials that the Credit River Township Offices will be moving out of the temporary location of the Prior Lake City Offices in early March.

Supervisor Schommer will be scheduling gutters to be installed on the outside of the Town Hall.

Supervisor Kostik will be arranging for placing and the care of interior rugs from a service.

Supervisor Novak referenced the water system in the Town Hall. He recommends replacing the steel tank with a bladder, and placing R/O (reverse osmosis) on the faucets, and that will improve the water quality in the Town Hall.

Treasurer LeVoir has received invoices on the work done so far in the amount of \$18, 048.32. There are a few major items outstanding, however the project is under budget at this time.

Chairman Lawrence will place a letter in the editor in the Prior Lake American to thank the City of Prior Lake for allowing Credit River Township to temporarily office out of the Prior Lake City Hall during the renovations to the Town Hall. Their courtesy has been sincerely appreciated.

Lastly, the Board discussed other items regarding the Town Hall, including office furniture and space configuration.

12) Pay Claims

Checks:	Paid to:	Amount:	Comments:
Paid Chk#			ACH Fees/Check Scanner
000303E	ANCHOR BANK	50.00	Fees/NSF Fee
Paid Chk#	VISA COMMUNITY		Storage Unit/Office
000304E	CARD	912.09	Supplies/iContact/Carbonite
Paid Chk#	SCOTT COUNTY		Filing Fee - 21510 Harvest
000305E	CUSTOMER SRV	46.00	Hills Dr
Paid Chk#			
000306E	EFTPS	1,706.54	FICA/Medicare/Fed WH
Paid Chk#			
000307E	PERA	813.66	PERA
Paid Chk#	MINNESOTA REVENUE		
000308E	MW5	124.44	State WH
Paid Chk#			February 2015 Srv Paid in
008163	AL NOVAK	877.32	March 2015
Paid Chk#			February 2015 Srv Paid in
008164	BRENT LAWRENCE	881.94	March 2015
Paid Chk#			February 2015 Srv Paid in
008165	CHRIS KOSTIK	856.90	March 2015
Paid Chk#			February 2015 Srv Paid in
008166	LEROY SCHOMMER	1,029.70	March 2015
Paid Chk#			February 2015 Srv Paid in
008167	LISA QUINN	XXXX	March 2015
Paid Chk#			February 2015 Srv Paid in
008168	MARY RIEDER	XXXX	March 2015
Paid Chk#			February 2015 Srv Paid in
008169	SARAH LEVOIR	XXXX	March 2015
Paid Chk#			February 2015 Srv Paid in
008170	TOM KRAFT	863.15	March 2015
Paid Chk#			February 2015 Expense
008171	AL NOVAK	501.74	Reimbursement
Paid Chk#	BRYAN ROCK		February 2015 Winter Road
008172	PRODUCTS INC	417.55	Mtc
Paid Chk#	BUSINESS FORMS &		
008173	ACCOUNTING	157.74	CSTS Utility Billing Postcards
Paid Chk#	CENTERPOINT		
008174	ENERGY	116.52	Town Hall Gas
Paid Chk#			February 2015 Expense
008175	CHRIS KOSTIK	295.77	Reimbursement
Paid Chk#			December 2014 Plowing & De-
008176	CITY OF LAKEVILLE	247.13	icing Judicial Rd
Paid Chk#	CLEARWATER	700.00	Town Hall Building Repairs -

008177	PLUMBING & HEATING		Install Kohler
Paid Chk#	COURI & RUPPE,		
008178	P.L.L.P.	3,150.00	Legal Fees
Paid Chk#			Clerk Computer (Purchase
008179	DELL MARKETING L.P.	837.79	New)
Paid Chk#			
008180	ECM PUBLISHERS INC	289.81	Legal Publishings
Paid Chk#			February 2015 Winter Road
008181	GALLAGHERS	13,551.50	Mtc
Paid Chk#	GOLIATH HYDRO-VAC		
008182	INC	250.00	Jet Frozen Culvert - 7617 165t
Paid Chk#	GOPHER STATE ONE		
008183	CALL	14.50	January 2015 Utility Locates
	HAKANSON		
Paid Chk#	ANDERSON ASSOC		
008184	INC	33,670.83	Engineering
Paid Chk#			
008185	INTEGRA TELECOM	563.70	Phone
Paid Chk#			February 2015 Expense
008186	LISA QUINN	87.38	Reimbursement
Paid Chk#	MARKS BOBCAT		Town Hall Winter Lot &
008187	SERVICE, INC.	450.00	Sidewalk January 2015
Paid Chk#			
008188	MVEC	654.62	Electricity
Paid Chk#	NATURAL SYSTEMS		
008189	UTILITIES MN	3,003.93	CSTS Monitoring
Paid Chk#	POLYTEK SURFACE		Town Hall Repairs - New
008190	COATINGS	4,524.50	Flooring
Paid Chk#	PRIOR LAKE HEATING		Town Hall Building Repairs -
008191	& AC	500.00	Air Returns/Ducts
Paid Chk#			February 2015 Expense
008192	SARAH LEVOIR	105.20	Reimbursement
Paid Chk#	SCOTT COUNTY		
008193	TREASURER	387.00	Scott County Misc Fees
Paid Chk#	SERVPRO OF		
008194	EAGAN/APPLE VALLEY	941.17	Town Hall Mold Remediation
Paid Chk#	SOUTHWEST		
008195	NEWSPAPERS	107.02	Legal Publishings
Paid Chk#			February 2015 Expense
008196	TOM KRAFT	180.46	Reimbursement
Paid Chk#	U.S. BANK EQUIPMENT		March 2015 Lease Payment -
008197	FINANCE	143.25	Copier
Paid Chk#			2015 Fiscal Agent Fee - 2009
008198	WELLS FARGO BANK	375.00	GO Bond
Paid Chk#			
008199	XCEL ENERGY	13.32	St. Francis Light

Total 77,831.87

13) Adjourn

There being no further business before the Town Board, a motion to adjourn the March 2, 2015 Credit River Township Board Meeting was heard.

Supervisor Kostik made a motion to adjourn the March 2, 2015 Credit River Township Board Meeting. Supervisor Schommer seconded the motion. Motion carried 5-0.

The March 2, 2015 Credit River Township Board Meeting was adjourned at 10:19 PM.

Recorded by:

**Lisa Quinn
Clerk of Credit River Township**

Approved by:

**Brent Lawrence
Chairman, Board of Supervisors
Credit River Township**