

**Valley Oaks First Addition  
Road Assessment Hearing Minutes  
March 23, 2015**

**Call to Order:**

Chairman Brent Lawrence opened the Valley Oaks First Addition Assessment Hearing at 6:30 pm.

**Members Present:**

Chairman Brent Lawrence, Vice Chairman Tom Kraft, Supervisor Al Novak, Supervisor Leroy Schommer, Supervisor Chris Kostik

**Others Present:**

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

Township Attorney Ruppe opened the meeting by explaining the 429 process, thereby clarifying the purpose and legal standing of the meeting. He stated that this was the final opportunity to submit a written objection to the assessment amount, and that this must be done prior to the closing of the meeting.

Township Engineer Nelson then provided an overview of the Valley Oaks First Addition Road project process to date. The road will be constructed to a 7 ton standard, the Town uses a-per unit assessment process, and the assessment percentage has been set to a 40/60 split between the benefitting residents and the Township. Total cost of the project is estimated to be \$601,250.00; and the resident portion has been estimated to be approximately \$9,750.00 per benefitting household.

Attorney Ruppe stated that if the proposed assessment was adopted at the conclusion of the meeting, the objecting residents then had 30 days in which to appeal the assessment, by filing in District Court.

Supervisor Novak asked Attorney Ruppe if the cost of the project was lower than expected at the end of the project, could the assessment be lowered. Attorney Ruppe answered in the affirmative, and said in that case, that the resolution would be amended.

Chair Lawrence then opened up the meeting for public comment. He reminded those in attendance that any objections must be filed in writing prior to the close of the meeting.

Resident Comment:

- 1) B. Heier –Verna Lane Resident. Resident Heier asked if persons over 65 would be given a right to defer the payments. Attorney Ruppe replied that the statutorily required notice highlights the right to ask the LGU (local governing unit, in this case the Town Board) for a deferment; however, the Credit River Town Board does not, in general, allow this due to its lean financing situation.  
Resident then expressed concern about the timeline of the project. Engineer Nelson stated that the contractors could be notified about the planned activities in their area and be asked not to work there in that time.  
Resident Heier asked if Attorney Ruppe could specifically name other cities that do the Township-benefiting split at 20%-80%. Attorney Ruppe said most do, but named Cedar Lake Township specifically.
- 2) D. Knack- Pheasant Ridge Road. Resident complimented Board for financial responsibility over the years. Resident asked who technically owned the roads. Resident asked if road would really be turned back to gravel if road project did not go forward, and if the resident portion was consistent with other projects in other townships. Attorney Ruppe answered that the road is constructed over the Township right of way, and the Town determines if the road is paved or gravel. Attorney Ruppe also answered that the 40% portion that the Town pays is generous compared to some other projects that he has seen in other Towns; a lot of towns pay 20% leaving the resident portion at 80%.
- 3) D. Curry-Deer Run Court. Resident asked about access; he has a large camper and does not necessarily leave at night. Chairman Lawrence recommended resident contact the Engineer on site when he will need egress.

**There not being any property owners present who indicated that they had a written objection to submit, Supervisor Kostik made a motion to close the assessment public hearing, Supervisor Schommer offered a second. Motion passed 5 – 0.**

Assessment hearing was then closed.

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Recorded By: (s/) Lisa Quinn  
Township Clerk  
Credit River Township

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Approved By: (s/) Brent Lawrence  
Chairman Board of Supervisors  
Credit River Township