

**Credit River Township Board Meeting  
Thursday, November 8, 2012, 6pm**

**Meeting Minutes**

**The November 8, 2012 Credit River Township Meeting was called to order at 6PM by Chairman Brent Lawrence.**

**After the Pledge of Allegiance, Supervisor Schommer asked for a moment of silence for Bob Haugh, as he recently passed. Mr. Haugh was a former Clerk for Credit River Township and on the Cemetery Board for 24 years. A moment of silence was observed.**

**Members Present:**

Chairman Brent Lawrence; Vice Chairman Bruce Nilsen; Supervisor Leroy Schommer; Supervisor Tom Kraft, Supervisor Al Novak.

**Others Present:**

Township Clerk Lisa Quinn, Township Treasurer Sarah LeVoir, Township Engineer Shane Nelson

- 1) Approve or Amend Agenda:** Chairman Lawrence asked if any Board member would like to add or remove anything from the agenda. Chair Lawrence asked to add "Grading Contract" under "Road Report." Engineer Nelson asked to add "Territory Update" as number 3 under "Engineer's Report." Supervisor Kraft asked to add "167<sup>th</sup> Street Update" as number 2 under "Road Report." Supervisor Schommer asked to add "Krieger Project" as number 4 under "Old Business." Vice Chair Nilsen asked that "Minneapolis Gun Club CUP" as number under New Business. Township Clerk Quinn asked that #3 under consent agenda, "September 4, 2012 Board Meeting Minutes," be changed to "October 1, 2012 Board Meeting Minutes." Items were added or changed as requested.

**Supervisor Schommer made a motion to approve the amended agenda. Vice Chair Nilsen seconded the motion. Motion carried 5-0.**

**2) Consent Agenda**

**1.1) September 2012 Treasurers Report**

**1.2) October 2012 Developer's Escrow Statement**

**1.3) October 1, 2012 Board Meeting Minutes**

**1.4) February 21, 2012 Hills of Credit River Road Assessment Hearing Meeting Minutes**

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

**3) Open Forum**

Resident Al Aspengren approached the podium and made three comments. Comment number one was praise for Clerk Quinn in handling the General Election Process in Credit River Township. He then said that four years ago it was proposed to divide the Township into two precincts due to the number of residents and the space limitations of the current precinct location during the General Election, and asked if there was any further consideration for that proposal. Mr. Aspengren then asked the Town Board to consider forming a committee to discuss whether or not it was time for a new Town Hall building in Credit River Township. He recommended three considerations in regards to the current Town Hall Building: 1) Improve and expand the current Town Hall on the current site, 2) Raze the current Town Hall and rebuild on the current site, or 3) Use the 12 Acres originally designated as a "Town Center" on 185<sup>th</sup> near the garage door company to rebuild a more modern Town Hall. Supervisor Schommer said that due to holding tank restrictions, on the current site it would not be possible to increase the size of the Town Hall. Chair Lawrence said that for financial reasons the Board made a decision not to use a second precinct location.

Mr. Aspengren then asked the Town Board to consider resolving the legal issues with Mark Zweber.

Chair Lawrence said that since that issue is considered a pending litigation matter, the Town Board has been advised by counsel not to have public comment at this time.

Chairman Lawrence then took the chance to congratulate newly re-elected Scott County Commissioner Tom Wolf, who was present in the audience.

Vice Chair Nilsen then reviewed the Wagonwheel sign issue. Vice Chair Nilsen said that the issue came to the recent attention of the Board because a resident, Mike Guilday, President of the Wagonwheel Homeowners Association, called him regarding the condition of the signs in that area. Engineer Nelson presented his findings that were summarized in a memorandum distributed to the Board. Engineer Nelson stated that it appears that the stop signs were installed for speed control, which is discouraged per the state standards (MN MUTCD). Mr. Nelson recommended removing the northbound and southbound stop signs on Wagonwheel Drive at the Canter Lane intersection as well as the 219<sup>th</sup> Street Intersection.

Several Wagonwheel residents in attendance then commented that they strongly prefer to keep the signs that they have. They commented that the signs need updating as they are worn out, and that if necessary, they would pay for their own signs, as they did the last time. Mr. Guilday presented a petition stating as such that was signed by a large number of the Wagonwheel residents. This petition will be kept on file at the Township Office.

After discussion, the Board decided that going forward, sign changes will be decided on a case by case basis.

**Supervisor Novak made a motion to replace the existing stop signs on Wagonwheel Drive in the Wagonwheel Neighborhood in accordance with the 2014 retroreflectivity standards. Vice Chair Nilsen seconded the motion, with the addition that a recommendation will be made to the New Market Township Board to add a speed limit sign northbound at the entrance of the neighborhood from CR 91 for 30mph. Motion passed 3-2. Supervisor Kraft and Schommer were opposed.**

**4) Old Business**

**1) Township Parks.**

- 1.1) **Resolution 2012-28.** Resolution Requesting the State Minnesota to Deed Certain Tax Forfeited Lands to Credit River Township was introduced by Chair Lawrence. Chair Lawrence explained that the Resolution, application, and application fee of \$250.00 would have to be submitted to Scott County Taxation in the near future.

**Supervisor Kraft made a motion to accept Resolution 2012-28, Resolution Requesting the State of Minnesota to Deed Certain Tax Forfeited Lands to Credit River Township. Supervisor Novak seconded the motion. Motion carried 4-1, with Vice Chair Nilsen dissenting.**

**1.2) Casey Park Clean-up.**

**Chair Lawrence made a motion to approve clean-up of Casey Park and cover associated expenses up to \$1000. Vice Chair Nilsen seconded the motion. Motion passed 5-0.**

- 1.3) **Park Advisory Committee for Credit River.** A resident, John Hoger, contacted the Township Board and expressed interest in assisting the Township in park planning and advising. The Board will contact Mr. Hoger and ask him to attend the next meeting to discuss his availability and qualifications.

- 2) **County 44 Turnback.** After brief discussion, the Supervisors decided that the Residents and Scott County Officials Tony Winiecki and Len Laxen will be invited to discuss any remaining concerns on County Road 44 at the December 3, 2012 Credit River Township Board Meeting. A letter will go out to the residents to gauge any interest in this meeting.

- 3) **Krieger Project.** Warren Johnson, a subcontractor for Mr. Krieger, appeared before the Board to ask for information regarding the boulder wall he installed. Mr. Johnson stated that he has not been paid by the property owner equal to the money that the property owner claims "to have tied up with the Township."  
Supervisor Kraft reiterated to the Board that there are three things that will need to be submitted to the Township Board before the Security escrow can be released: 1) escrow account needs to be re-established; 2) the encroachment agreement needs to be returned signed; and 3) an approved project plan and approved project completion in place.

The Board will ask the Township Attorney to contact the property owner's attorney and inform him of the Township requirements.

## **5) New Business**

**1) Legends Club Resolution.** Resolution 2012-29, Resolution for Application to Scott County to Renew the Liquor License and Sunday Liquor License for Legends Club, was presented to the Credit River Town Board.

**A roll call on Resolution 2012-29, Resolution Regarding Liquor License Legends Club was called, and the votes were recorded as such: Chairman Brent Lawrence: Aye, Vice Chair Bruce Nilsen: Aye; Supervisor Tom Kraft: Aye; Supervisor Leroy Schommer: Aye; and Supervisor Al Novak: Aye. Motion passed unanimously.**

**4) Minneapolis Gun Club CUP.** Vice Chair Nilsen updated the Board on a pending request of the Minneapolis Gun Club to increase their operating hours for a school league. Vice Chair Nilsen will invite Mr. Jim Walkowiak to the December 3, 2012 Credit River Township Board Meeting to discuss their plans, and Clerk Quinn will add it to the agenda.

## **5) Road Report.**

**1) Grading Contract with Art Johnson.** Quote was extended this spring for a match in price with the 2011 agreement. Agreement was for an additional year.

**Grading.** Supervisor Kraft discussed dust coating. Dust coating keeps the "fines" on the gravel road settled and prevents loss through the year. Supervisor Kraft recommended looking into dustcoating more Township Roads.

**2) 167<sup>th</sup> Street Update.** Township Engineer Shane Nelson discussed the work that has been done on 167<sup>th</sup> Street. Rip rap and shouldering has been done, but some continued fine tuning will be done in the near future. Vice Chair Nilsen reports that a stop sign at 167<sup>th</sup> and Sunset has also been replaced.

## 7) Engineer's Report

1) **Wagonwheel Signs.** Issue was moved to Open Forum by Resident request.

2) **MS4 Update.** A couple of hours of staff time were spent preparing a MS4 Illicit Stormwater Permit before it was discovered that the Permit was not needed as advised by the State of Minnesota. Therefore, an Illicit Discharge Ordinance will not be pursued.

### 3) **Territory Project.**

Township Engineer Shane Nelson offered a Territory update. The Mound and Forcemain has been completed, and most connections should be completed next week. In the process of marking the fenceline some issues were discovered, and it was determined that some minor grading and brush-hogging will need to be done. Peter Ralph (from Gittleman Management) has been notified and asked to complete this work, with the cost of these preparations coming out of the project contingency fund.

There is one fenceline that needs to be relocated to the proper location. Also, a turnaround was modified, and Greg Halling (Territory Project Engineer) will be asked to pave the turnaround per the original plan.

In addition, it was discovered that two monitoring wells are not on Territory Property. They are on property that has been sold as part of outlots. The legal description of the property will have to be reviewed to be sure the Township has an easement to these monitors.

4) **Compliance Situation with a resident who filled in a stormwater pond in Monterey Heights.** A letter will be sent to the property owners informing them that they will have to remove the fill that was placed in the stormwater pond near their property.

5) **Notice given to residents on CSTS rate hearing.** Engineer Nelson said CSTS Rate Hearing Notice time period requirements are per Ordinance. Supervisor Novak looked at the ordinance and noted that there is no required notice time period.

## 8) Treasurer's Report

### 1) Transfer Funds.

Treasurer LeVoir reports she has been notified that the Township savings account interest rate has been lowered from .55% to .50%.

Based upon checks deposited in the month of October 2012 and the dollar amount of claims to be paid, Treasurer LeVoir notes that a transfer from checking to savings is necessary. She requests a transfer from checking to savings in the amount of \$25,000.00.

**Supervisor Novak made a motion to transfer funds in the amount of \$25,000.00 from checking to savings. Supervisor Schommer seconded the motion. Motion passed 5-0.**

### 6) CSTS Budgeting. Chair Lawrence and Treasurer LeVoir met with Shane Symmank and Steve Kokesh from Natural Systems Utilities/ Ecocheck to discuss the 2013 Budgets for the Subordinate Service Districts (SSD's).

Monterey Heights/ South Passage (MHSP) was the first SSD 2013 Budget to be reviewed. Because of some unbudgeted and isolated (but required) events, it is currently operating at approximately \$1300.00 over budget. Looking ahead to the 2013 budget, any unexpected expenses will drastically reduce the operating cash for MHSP. Three months of operating expenses are considered a proper amount of cash on hand.

Treasurer LeVoir was asked by the Board to estimate the budget projections/operating cash for MHSP if rate increases of 5%, 7% or 10% were proposed. After a review of her presented figures, the Township Board decided to recommend a 5% increase in the MHSP SSD rate, in order that the projected revenues are sufficient to meet projected expenses, while also maintaining adequate operating cash.

The Territory 2013 SSD Budget was discussed. Territory SSD Budget is projected to have sufficient operating cash until mid-2014, if expenses stay as budgeted/ projected. The next rate increase is not expected until the beginning of 2014.

The Stonebridge 2013 SSD Budget was then discussed. Based on the proposed 2013 Budget and projections, the Stonebridge SSD has sufficient operating cash at the current monthly rate. No increases appear necessary at this time.

**A motion was made by Supervisor Novak to approve the Territory and Stonebridge 2013 CSTS Budgeted Revenues and Expenditures. A second was made by Supervisor Kraft. Motion passed 5-0.**

**A motion was made by Supervisor Kraft to approve the 2013 Budgeted Expenditures for Monterey Heights/ South Passage. A second was offered by Supervisor Schommer. Motion carried 5-0.**

**Chair Lawrence made a motion to approve the 2013 Budgeted Revenues for Monterey Heights and South Passage SSD at a 5% rate increase that will result in a monthly rate of \$104.00, and will be presented to the residents at a rate hearing on Monday December 3, 2012 at 6 PM. Supervisor Novak seconded the motion. Motion passed 5-0.**

**3) Direct Deposit.** Treasurer LeVair discussed offering the option of direct deposit to Supervisors and employees. The cost would be \$8 per month, and .12 per check. The Supervisors decided that direct deposit would not be initiated at this time.

**4) Board of Audit.** Township Attorney Ruppe conveyed to Treasurer LeVair that a Board of Audit is required. The Credit River Township Board of Audit is scheduled for Wednesday, February 13, 2013 at 7 PM.

## **5) Escrow Update**

5.1) **Brekke Escrow.** Engineer Nelson inspected and recommends that the Board approves a release of the escrow to the resident.

5.2) **Jensen Escrow.** Resident requests release of Escrow. Engineer Nelson reports to Treasurer LeVair that no further work is scheduled to be done on the property. Board approves a release of the escrow to the resident.

5.3) **Krieger Escrow.** Treasurer LeVair reports that the resident who resides at 19555 Oak Grove Avenue's escrow is in a negative balance of \$202.12. Board action was discussed during Old Business.

5.4) **Owens Escrow.** The Owen's escrow is in arrears of \$826.00, and some additional staff time remains to complete the inspections. The Board recommends requesting \$1350.00.

**6) Assessment Pay-off.** Letters have been sent to the residents of the Hills of Credit River and 195<sup>th</sup> Street Road Assessment Properties giving them the amount of their assessments and payment options. As of today's date, 5 of 56 HCR residents have paid off their assessments, and for 195<sup>th</sup> Street, 4 of 22 direct, and 2 of 11 indirect benefitting properties have paid off their assessments.

**7) Notary.** The cost of the Township Treasurer to become a Notary is \$120 for a new registration, and \$20 fee to register with the County. She would become a Notary through Dakota County, as per residency guidelines. The Township Board recommended that Treasurer LeVoir get her Notary designation for Township benefit.

**Chair Lawrence made a motion to cover the fees for Treasurer LeVoir to get a notary designation. Vice Chair Nilsen seconded the motion. Motion passed 5-0.**

## **9) Clerk's Report**

### **1) General Election was November 6, 2012.**

Credit River had a 94.35% voter turnout including the absentee ballots cast through the County. 3,003 ballots were cast on site and we had 367 on site voter registrations.

The Credit River Head Judge and Assistant Head Judge for the General Election were Al Aspengren and Lloyd Erbaugh, respectively. They were praised for a job well done.

Clerk Quinn also thanked Dave Chromy from Village Market for delivering the food for election workers and setting it up. The service and food were excellent.

Chair Lawrence relayed that Clerk Quinn received very positive feedback from various residents regarding her handling of the General election process.

**2) Minnesota Township Annual Meeting.** Clerk Quinn will be attending the Minnesota Township Annual Meeting on February 15 and 16. Supervisors Schommer and Kraft are attending as well.

**3) Town Hall**

**3.1) Blinds.** Two estimates for blinds for the Town Hall were received for Township Board review. Midwest Blinds quoted \$547.50 and Budget Blinds quoted \$771.87.

**Supervisor Schommer made a motion to select the Midwest Blinds quote that was estimated at \$547.50. Vice Chair Nilsen seconded the motion. Motion passed 5-0.**

**3.2) Pests.** The Town Hall has mice. The door threshold was mentioned as a possible cause. Vice Chair Nilsen offered to put a strip of aluminum across the threshold to try and keep the mice from coming in. Mouse traps have been relocated to the main room in order to try and keep them out of the offices.

After discussion, the Township Board decided to contact Rove Pest Control and see if there is a higher level of service to attempt to keep the mice at bay.

**4) Township Exempt Permit-Credit River Antique Tractor Club.** Credit River Antique Tractor Club would like to use the Town Hall Parking Lot to have a raffle in October 2013. After discussion, the Township Board will recommend approval but would like to request that if the Tractor Club would like to hold the event here again in 2014, if they would please appear at a Township Board meeting so that the Township Board can ask them about their event in more detail.

**Vice Chair Nilsen made a motion to recommend approval for the Credit River Tractor Club Exempt Permit. Supervisor Kraft seconded the motion. Motion passed 5-0.**

Before the Board went to the "Pay Claims" portion of the Board Meeting, Vice Chair Nilsen made the announcement that he did not plan on seeking re-election when his term was up in March of 2013. Anyone seeking election to the Township Board is advised that the filing period will be in January 1-15, 2013, and that information will be posted and published in accordance with State Statute at that time.

## 10) Pay Claims.

Checks:	Paid to:	Amount:	Comments:
Paid Chk# 000162E	ANCHOR BANK	52.28	ACH/Check Scanner/NSF Fees
Paid Chk# 000163E	ANCHOR BANK DEBIT CARD	462.62	Clerk Cell Phone/Postage/Office&Election Supplies
Paid Chk# 000164E	EFTPS	1,413.40	FICA/Medicare/Fed WH
Paid Chk# 000165E	PERA	700.66	PERA
Paid Chk# 000166E	MINNESOTA REVENUE MW5	141.66	State WH
Paid Chk# 006893	AL NOVAK	636.86	October Srv Pd in November
Paid Chk# 006894	BRENT LAWRENCE	778.39	October Srv Pd in November
Paid Chk# 006895	BRUCE NILSEN	636.86	October Srv Pd in November
Paid Chk# 006896	LEROY SCHOMMER	636.86	October Srv Pd in November
Paid Chk# 006897	LISA QUINN	XXXX	October Srv Pd in November
Paid Chk# 006898	SARAH LEVOIR	XXXX	October Srv Pd in November
Paid Chk# 006899	TOM KRAFT	595.93	October Srv Pd in November
Paid Chk# 006900	AL ASPENGREN	13.44	Election Meeting/Mileage
Paid Chk# 006901	ART JOHNSON TRUCKING INC	1,098.50	October 2012 Road Mtc
Paid Chk# 006902	BRAD OR JACQUELINE BREKKE	370.90	Brekke Escrow Refund - Culvert
Paid Chk# 006903	BRENT LAWRENCE	24.98	October 2012 Expense Reimbursement
Paid Chk# 006904	BUSINESS FORMS & ACCOUNTING	197.71	Check Stock - 1000 Checks
Paid Chk# 006905	CENTERPOINT ENERGY	34.99	Town Hall Gas
Paid Chk# 006906	CERTIFIED RECYCLING	20.00	Disposal of Television
Paid Chk# 006907	CHORES AND MORE BY HEIDI INC	325.97	Cleaning September and October
Paid Chk# 006908	COMMISSIONER OF TRANSPORTATION	85.00	Election Vote Here Sign
Paid Chk# 006909	COURI & RUPPE, P.L.L.P.	3,883.75	Legal Fees
Paid Chk# 006910	DALE KUCHINKA	3,256.00	June 2012/September 2012 Ditch Mowing
Paid Chk# 006911	DENNIS KAROW	925.32	Parks/Town Hall Mowing
Paid Chk# 006912	ECM PUBLISHERS INC	84.00	Agenda 10/01/12 Board Meeting
Paid Chk# 006913	FRANZ HOMES	2,531.00	NPDES Escrow Refunds
Paid Chk# 006914	GE CAPITAL	149.64	Copier Expense
Paid Chk# 006915	GOPHER STATE ONE CALL	42.05	September 2012 Utility Locates
Paid Chk# 006916	HAKANSON ANDERSON ASSOC INC	9,579.45	Engineering
Paid Chk# 006917	INTEGRA TELECOM	553.45	Phone

Paid Chk# 006918	JB WOODFITTER AND ASSOCIATES	3,142.00	NPDES Escrow Refunds
Paid Chk# 006919	LANE AND KAREN NORDQUIST	500.00	NPDES Escrow Refund
Paid Chk# 006920	LEAH/MARK JENSEN	1,961.00	NPDES Escrow Refund
Paid Chk# 006921	LISA QUINN	27.86	October 2012 Expense Reimbursement
Paid Chk# 006922	METRO SALES , INC.	143.88	Copier Qtrly Mtc
Paid Chk# 006923	MIKES SEPTIC	235.00	Town Hall Septic Pumping 10/02
Paid Chk# 006924	MVEC	628.90	Electricity
Paid Chk# 006925	NATURAL SYSTEMS UTILITIES MN	10,610.16	CSTS Monitoring
Paid Chk# 006926	PARENT CUSTOM HOMES, LLC	1,662.00	NPDES Escrow Refund
Paid Chk# 006927	PAT HENRYS PRESTIGE POOLS	1,000.00	NPDES Escrow Refund
Paid Chk# 006928	PRIVATE UNDERGROUND	234.50	September 2012/October 2012 Utility Locates
Paid Chk# 006929	ROVE PEST CONTROL	80.16	Quarterly Pest Control Town Hall
Paid Chk# 006930	SARAH LEVOIR	50.00	October 2012 Cell Phone Expense Reimbursement
Paid Chk# 006931	SCOTT SOIL & WATER CONSV DIST	455.00	Building Site Inspections September 2012
Paid Chk# 006932	SOUTHWEST SUBURBAN PUBLISHING	188.86	Agenda 09/04/12 Board Meeting
Paid Chk# 006933	STEWART TITLE OF MINNESOTA INC	800.00	Refund overpayment of special assessment
Paid Chk# 006934	XCEL ENERGY	8.23	St. Francis Street Light

**Total      54,635.84**

**11) Adjourn.** With no further business before the Town Board, a motion to adjourn the Board Meeting was made.

**Vice Chair Nilsen made a motion to adjourn the November 8, 2012 Credit River Township Board Meeting. Supervisor Novak seconded the motion. Motion passed 5-0.**

Meeting was adjourned at 9:59 PM.

---

**Submitted by: Lisa Quinn  
Township Clerk  
Credit River Township**

---

**Approved By: Brent Lawrence  
Chairman Board of Supervisors  
Credit River Township**