

**Credit River Township Board Meeting**  
**Monday, December 1, 2014, 6pm**  
**Meeting Minutes**

**The December 1, 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 "Princeton Lane" be added as #5 under New Business; "Minnesota Township Convention Update" as #6 under New Business; and "175<sup>th</sup> Street Ditch Repair" be added as #1 under Road Report.

Treasurer LeVoir asked that "Audit Update" be added as Item #4, and "PERA Update" be added as Item #5, under Treasurer Report.

Clerk Quinn asked that "Outdated Files" be added under Clerk's Report.

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

Items were added as requested.

**2) Consent Agenda**

**1) October 2014 Treasurer's Report**

**2) November 2014 Developer's Escrow Statement**

**3) November 5, 2014 Board Meeting Minutes**

**4) November 10, 2014 Road Improvement Hearing Minutes- Gensmer Circle**

- 5) **November 10, 2014 Road Improvement Hearing Minutes- Flag Trail**
- 6) **November 10, 2014 Road Improvement Hearing Minutes- Valley Oaks 1<sup>st</sup> Addition**
- 7) **November 10, 2014 Road Improvement Hearing- Rolling Oaks Court**
- 8) **November 10, 2014 Road improvement Hearing Special Meeting Minutes**

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

### **3) Open Forum**

Johanna Drive Resident T. Conway thanked the Board for changing the Yield sign at John Deere Drive to a Stop sign.

Whitewood Ave. Resident B. Parrish mentioned that Gallagher's Snowplowing has been doing a good job plowing and salting the roads in the Township.

### **4) Flag Trail Road Reconstruct / Repair Discussion**

Vice Chair Kraft asked Supervisor Novak to follow up on a small number of residents in the Flag Trail Project Area who signed a petition in opposition to the project, based upon what the Board felt was erroneous information. Vice Chair Kraft felt it was in the best interest of the affected residents to be fully informed on the financial benefits of doing the improvement at this time, including the consequences of not doing it, such as it possibly having to be returned to gravel due to its poor condition.

After taking all the facts into consideration, the Board consensus is that it is in the best interests of the Township of a whole to continue on in the improvement project process by ordering the plans & specs.

**Supervisor Novak made a motion to approve Resolution 2014-41, Resolution Ordering the Improvements to Flag Trail. Supervisor Schommer seconded. Motion passed 5-0.**

Vice Chair Kraft briefly discussed the 429 Process of Spring Lake Township in assessing their benefitting residents who reside on Flag Trail. Attorney Ruppe will check the JPA (Joint Powers Agreement) that was sent previously and advise the clerk to send it to Spring Lake Township Officials if it is ready.

## **5) Old Business**

### **1) Reiter Project Wetland Credits**

Resident T. Reiter requests a LGU (Local Governing Unit) signature on some paperwork he has submitted for purchasing wetland credits.

Engineer Nelson informed the Board and resident that it is a regulatory process based upon time and there is nothing that can be done to reduce the review period.

### **2) Fern & Birch Contractor Update**

Attorney Ruppe reported on conversations that have been held aimed at resolving the current contract dispute between the Township and Valley Paving, in regards to the Fern & Birch project. The dispute primarily regards differences as to the amounts owed Contractor for sub grade excavation quantities and liquidated damages claims.

Vice Chair Kraft updated the Board on a DPA (Data Practices Act) request that has been submitted to the Township regarding this dispute. Vice Chair Kraft asked that Clerk Quinn and Engineer Nelson proceed to work on the request as the Township has received an escrow for the expenses associated with the request. Attorney Ruppe advised that given the scope of the request and the availability of part time staff, 2-3 weeks would be a reasonable amount of time to comply with the request. Attorney Ruppe asked that all communication be through his office on this matter. The clerk will begin putting together the requested materials immediately.

Next, Fern & Birch Pay Estimate #3 was discussed. Engineer Nelson recommends a payment of \$10,914.45, which is a partial release of the estimated liquidated damages.

**Supervisor Kostik made a motion to release a payment in the amount of \$10,914.45 to Valley Paving, Inc. Supervisor Schommer seconded the motion. Motion carried 5-0.**

Next, Engineer Nelson recommended that payment for \$3,960.55 be approved. He explained this portion was for seeding work done on Fern & Birch.

**Supervisor Novak made a motion to release a payment of \$3,960.55. Supervisor Kostik seconded. Motion passed 5-0.**

### **3) 19555 Oak Grove Avenue Update**

Attorney Ruppe reports that he spoke with the property owner's attorney, Larry Severson. The property owner, through his attorney, has responded to the request for reimbursement by alleging that the road damage claimed by the Township was not caused by the improvements he installed on his property but due to "moisture below grade" that already exists under the road. According to Mr. Severson, this moisture is responsible for the road damage – not his client.

With regard to the decorative monuments installed by the property owner within the Township's drainage and utility easement, the Town Board discussed the pros and cons of entering into an encroachment agreement. The Town Board determined not to enter into the agreement and directed Attorney Ruppe will send a formal letter to Mr. Severson requesting that his client remove the monuments from the drainage and utility easement and restores the easement.

### **3) Formally Approve Copier Lease**

The Town Hall copier lease has expired and the copier has been replaced due to age.

**Supervisor Novak made a motion to formally accept the Copier Lease entered into with Metro Sales. Supervisor Kostik seconded. Motion passed 5-0.**

#### **4) Harvest Hills Property Encroachment Agreement Update**

There is a property in the Harvest Hills neighborhood that is requesting an Encroachment Agreement to cross a wetland easement with a sewer pipe. An encroachment agreement is due from the property owners, and the Board directs the clerk to look into the matter.

### **6) New Business**

#### **1) Credit River Antique Tractor Club Event Request**

Resident P. Nelson appeared to update the Board on the Credit River Antique Tractor Club request to hold their event in the Town Hall Parking lot on October 3, 2015. The Board expressed that the Credit River Antique Tractor Club does a great job with their events and welcomed them back for their event. The Board just requests to remain informed.

#### **2) Original Signatures Discussion**

The need for original signatures on Township Documents was discussed. Original signatures will continue to be required for anything that requires a notary, is a legal and binding contract, or will be filed with another entity.

#### **3) Judicial Road Cell Towers**

A planned upgrade to the Judicial Road Cell Towers was discussed. The County cannot order the landscaping to be upgraded under the present agreement, but the County official stated that if any more extensive work is done in the future there, that they are aware of Credit River Township concerns.

#### **4) Snowplowing Agreement**

Supervisor Novak reports that a snowplowing contract with Gallagher's is in process.

**Supervisor Novak made a motion to approve the Snowplowing Agreement with Gallagher's, Inc. Vice Chair Kraft seconded. Motion passed 5-0.**

**5) Princeton Lane**

Supervisor Schommer reported that a dump truck knocked the arch and pillar monument down on Princeton Road. At one time Princeton Road was a private road, and the arch & pillar was on the private road at the time the Town accepted Princeton Road. The understanding was that the Township was not to be responsible at any time for this pre-existing monument. The homeowners in that development would like to rebuild the damaged arch & pillar in the spring. Supervisor Schommer advised them that current standards required it to be at least 14' 8" high.

Attorney Ruppe recommended that the property owners be informed that the Town will need an indemnity agreement for that monument. This would require a \$200 escrow to be submitted to the Town offices for related expenses.

Supervisor Kostik recommended the Plans & Specs be reviewed by the Township Board.

Supervisor Schommer said that he would inform the homeowners.

**6) Minnesota Township Annual Meeting**

At this recent conference, Supervisor Schommer renewed his LBAE (Local Board of Appeal and Equalization) Certification and his certification will be good until 2018. He also updated the Board that the Minnesota Association of Townships will be putting the LBAE Certification Training online soon. Going forward, that will then be the only way to get the training.

## **7) Road Report**

### **1) 175<sup>th</sup> Ditch Repair**

Supervisor Schommer updated the Board on a ditch repair along the side of 175<sup>th</sup> Street. Bohnsack & Hennen were the contractors for the repair under Supervisor Schommer's supervision. The ditch and drain there is responsible for draining all of the property west of there, past Murphy Blvd. Drain tile and ditch work was done in excess of \$7,400.00.

### **2) County Paperwork on FEMA Projects.**

Scott County Officials have contacted Towns in the County to request information on any projects that may be eligible for FEMA grants. The due date is this Friday; Vice Chair Kraft and Engineer Nelson will confer to get the proper paperwork filed.

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

### **1) CSTS Mowing RFQ Update**

Engineer Nelson updated the Board that a RFQ for CSTS (Community Sewage Treatment Systems) Mowing has been submitted to the contractor and will be presented for their review at the January Board Meeting.

## **9) Treasurer Report**

**1) Transfer Funds.** Treasurer LeVoir asked that a transfer of \$30,000 be approved from the Township Checking Account to the Township Savings Account.

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

## **2) Territory CSTS Budget 2015**

Supervisor Novak updated the Board on discussions he has had with the Territory HOA regarding a required rate increase.

Treasurer LeVoir presented a Territory CSTS Budget to the Board for review. Summaries of the different scenarios for the required rate increase were illustrated to the Board.

**Supervisor Novak made a motion to approve the Territory Budgeted Revenue and Expenditures and keep the Territory monthly fee rate at \$60.00. Supervisor Kostik seconded. Motion passed 5-0.**

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

Treasurer LeVoir updated the Board on the 2014 Special Assessments prepayments that have been received by the Township. November 15 was the deadline for the Fern & Birch, the Residential Overlay (Cedar Lane, et. al.), and the Hampshire Court Overlay Assessments to be received by the Township, if the property owners wished to pay them in full to avoid them to be certified to their taxes.

Treasurer LeVoir reported prepayment statistics as follows:

10/29 prepayments were made on the Residential Overlay (Cedar Lane, et. al.) Assessments.

1 /4 prepayments were made on Hampshire Avenue Assessments.

6/23 prepayments were made on the Fern & Birch Assessments.

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

#### **4) Audit Update**

Treasurer LeVoir reports that the 2014 Credit River Township Audit schedule is as follows:

Tuesday, December 16, 2014 (Preliminary Meeting)

Monday, January 19, 2015 (Year End 2014 Audit)

Tuesday January 20, 2015 (Year End 2014 Audit)

#### **5) PERA Update**

The current employee contribution amount is currently 6.25%; Employer contributions are currently 7.25%. These contributions will each be increasing .25%. Employee contributions will then be 6.5%, and Employer contributions will be 7.5%.

PERA (Public Employee Retirement Association) has revised the method in which they determine the PERA enrollment threshold. Instead of a monthly threshold, it has changed to an annual threshold of \$5100 /over per year. There are no current employees of the Town, besides the Treasurer and the Clerk, who meet these thresholds.

### **10) Clerk's Report**

#### **1) Ditch Mowing Contract**

The ditch mowing contract has not been received by the Town. The contractor has adequate insurance on file with the Town, and can do his work on an ad hoc basis, not requiring a contract. Supervisor Schommer will notify the contractor, but he is free to work outside of a

contract as long as he has adequate liability and workman's comp insurance on file, and processes/ rates remain the same.

## **2) Approval of Minutes Update**

The current method of approval of minutes was discussed, and the Board determined that the current procedure will continue. The Chairman will add microphones for the digital tape machine. Supervisor Kostik recommended that a digital recorder belonging to the Town be purchased.

## **3) Disposal of Old Files**

The Minnesota City Record Retention Schedule states that copies of Building Permit Applications can be discarded after 6 years. Therefore, Attorney Ruppe advises that for archival purposes, only Building Permit Application copies up to 6 years old that required a township recommendation through Credit River will need to be kept, and then can be discarded. These documents remain available through Scott Country Community Development or Land Records.

## **11) Town Hall**

Chairman Lawrence submitted a report from St. Croix Environmental & Safety, the company that inspected the Town Hall and determined that an outside wall needed mold remediation. Repairs to the sheathing and interior portion of the wall, including repairs to prevent further water intrusion, and some minor repairs to the inside of the building, are also recommended and necessary. The Supervisors each took an assignment to determine the costs of just the needed repairs. The viability and timeline of doing such repairs will then be determined. Supervisor Schommer directed the Clerk to make an initial inquiry into insurance coverage for the damage to the building.

The Township Election Polling Place was discussed. Chairman Lawrence and Clerk Quinn will look at alternatives to the Town Hall for a polling place, if that becomes necessary.

## 12) Pay Claims

Checks:	Paid to:	Amount:	Comments:
Paid Chk# 000287E	ANCHOR BANK	40.00	ACH/Check Scanner Fees
Paid Chk# 000288E	SCOTT COUNTY CUSTOMER SRV	46.00	Filing Fee
Paid Chk# 000289E	VISA COMMUNITY CARD	253.80	Stamps/iContact/Office & Election Supplies
Paid Chk# 000290E	EFTPS	1,684.36	FICA/Medicare/Fed WH
Paid Chk# 000291E	PERA	809.31	PERA
Paid Chk# 000292E	MINNESOTA REVENUE MW5	150.47	State WH
Paid Chk# 008020	AL NOVAK	623.36	November 2014 Srv Paid in December 2014
Paid Chk# 008021	BRENT LAWRENCE	824.77	November 2014 Srv Paid in December 2014
Paid Chk# 008022	CHRIS KOSTIK	666.00	November 2014 Srv Paid in December 2014
Paid Chk# 008023	LEROY SCHOMMER	826.53	November 2014 Srv Paid in December 2014
Paid Chk# 008024	LISA QUINN	XXXX	November 2014 Srv Paid in December 2014
Paid Chk# 008025	MARY RIEDER	XXXX	November 2014 Srv Paid in December 2014
Paid Chk# 008026	SARAH LEVOIR	XXXX	November 2014 Srv Paid in December 2014
Paid Chk# 008027	TOM KRAFT	793.69	November 2014 Srv Paid in December 2014
Paid Chk# 008028	AL ASPENGRN	111.16	General Election Judge - Wages/Mileage
Paid Chk# 008029	BARBARA J STARKEY	123.48	General Election Judge - Wages/Mileage
Paid Chk# 008030	DEBRA FAIRBANKS	103.49	General Election Judge - Wages/Mileage
Paid Chk# 008031	JAN PENNEY	112.00	General Election Judge - Wages
Paid Chk# 008032	JEROME MICHELS	109.48	General Election Judge - Wages/Mileage
Paid Chk# 008033	JODY M DALLAND	105.00	General Election Judge - Wages
Paid Chk# 008034	JOHN SCHULTE	29.68	General Election Judge - Wages/Mileage
Paid Chk# 008035	KAREN CLOUGH	96.60	General Election Judge - Wages/Mileage
Paid Chk# 008036	KATHY URSETH	116.90	General Election Judge - Wages/Mileage
Paid Chk# 008037	KENNETH W RODNING	168.78	Training/Primary/General Judge - Wages/Mileage
Paid Chk# 008038	LLOYD ERBAUGH	109.93	General Election Judge-Wages/Mileage
Paid Chk# 008039	LONNA RIESGRAF	102.48	General Election Judge - Wages/Mileage
Paid Chk# 008040	MARY HAMRE	109.82	General Election Judge - Wages/Mileage
Paid Chk# 008041	MARY JANE CASEY	112.00	General Election Judge - Wages
Paid Chk# 008042	MERRY LEE LLOYD	102.25	General Election Judge - Wages/Mileage
Paid Chk# 008043	PARI SCHILZ	316.48	General Election Head Judge - Wages/Mileage
Paid Chk# 008044	RICHARD SEGERS	101.22	General Election Judge - Wages/Mileage

Paid Chk# 008045	ROBIN ARNDT	98.22	General Election Judge - Wages/Mileage
Paid Chk# 008046	SHERRI RUTMAN	136.25	General Election Judge - Wages/Mileage
Paid Chk# 008047	THOMAS COSGROVE	112.15	General Election Judge - Wages/Mileage
Paid Chk# 008048	BANYON DATA SYSTEMS	795.00	Banyon Fund Accounting Support-Annual Fee
Paid Chk# 008049	BOHNSACK EXCAVATING INC.	8,347.50	Drainage/Draintile - 175th St/CSTS Mound Repair
Paid Chk# 008050	BRENT LAWRENCE	17.92	November 2014 Expense Reimbursement
Paid Chk# 008051	CENTERPOINT ENERGY	59.69	Town Hall Gas
Paid Chk# 008052	CHORES AND MORE BY HEIDI INC	80.00	Town Hall Full Clean 10/28/2014
Paid Chk# 008053	CITY OF LAKEVILLE	976.00	Ditch Mowing (Weeds and Brush)
Paid Chk# 008054	COURI & RUPPE, P.L.L.P.	4,147.50	Legal Fees
Paid Chk# 008055	ECM PUBLISHERS INC	309.96	Legal Publishings
Paid Chk# 008056	GALLAGHERS	5,674.75	November 2014 Winter Road Mtc
Paid Chk# 008057	GE CAPITAL	140.01	Copier Expense
Paid Chk# 008058	GOPHER STATE ONE CALL	40.60	October 2014 Utility Locates
Paid Chk# 008059	HAKANSON ANDERSON ASSOC INC	20,161.40	Engineering
Paid Chk# 008060	INTEGRA TELECOM	586.67	Phone
Paid Chk# 008061	KEVIN C RAASCH	1,700.00	NPDES Escrow Refund - Reissued
Paid Chk# 008062	LEROY SCHOMMER	304.77	November 2014 Expense Reimbursement
Paid Chk# 008063	LISA QUINN	431.28	November 2014 Expense Reimbursement
Paid Chk# 008064	MARKS BOBCAT SERVICE, INC.	14,299.70	Fern & Birch -Tile/Prairie Grass Pass Ditch
Paid Chk# 008065	MARY RIEDER	3.36	November 2014 Expense Reimbursement
Paid Chk# 008066	MATT OR ERIN LIND	900.00	Access Escrow Refund - 19045 Margaret
Paid Chk# 008067	METRO SALES , INC.	119.00	New Copier - Bi Annual Mtc Contract Fee
Paid Chk# 008068	MIKES SEPTIC	350.00	Town Hall Septic Pumping
Paid Chk# 008069	MINNESOTA DEPT OF HEALTH	150.00	MHSP Monitoring Well Permits
Paid Chk# 008070	MVEC	614.91	Electricity
Paid Chk# 008071	NATURAL SYSTEMS UTILITIES MN	11,100.42	CSTS Monitoring
Paid Chk# 008072	NORTHERN TECHNOLOGIES, INC	865.00	Fern & Birch Reconstruct - Testing Srvs
Paid Chk# 008073	PRIOR LAKE BLACKTOP, INC.	288.00	Creekwood Drive - Patch 3 Potholes
Paid Chk# 008074	ROVE PEST CONTROL	75.00	Town Hall Quarterly Pest Control Srv
Paid Chk# 008075	SAFETY SIGNS	609.00	Signs/Mobilization & Traffic Control
Paid Chk# 008076	SARAH LEVOIR	103.76	November 2014 Expense Reimbursement
Paid Chk# 008077	SCOTT SOIL & WATER CONSV DIST	975.00	Building Site Inspections - October 2014
Paid Chk# 008078	SOUTHWEST NEWSPAPERS	295.88	Legal Publishings
Paid Chk# 008079	ST CROIX ENVIRONMENTAL AND	2,015.00	Town Hall Sheathing Assessment

Paid Chk# 008080	TOM KRAFT	113.18	November 2014 Expense Reimbursement
Paid Chk# 008081	VALLEY PAVING, INC.	3,960.55	Fern & Birch Reconstruct - Pay Estimate #3
Paid Chk# 008082	XCEL ENERGY	13.26	St. Francis Light
Paid Chk# 008083	VALLEY PAVING, INC.	10,914.45	Fern & Birch Reconstruct

**Total      104,375.51**

### **13) Adjourn**

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

**Supervisor Schommer made a motion to adjourn the December 1, 2014 Credit River Township Board Meeting. Supervisor Kostik seconded. Motion passed 5-0.**

The December 1, 2014 Credit River Township Board Meeting was adjourned at 8:35PM.

**Recorded by:**

---

**Lisa Quinn  
Clerk of Credit River Township**

**Approved by:**

---

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