

Credit River Township Board Meeting
Monday, September 3, 2014, 6pm
Meeting Minutes

The September 3, 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:

Chairman Lawrence asked that "Election Update" be added as Item #1 under Clerk's Report; "Town Hall" be added as Item #2; "Clerk's Absence" be added as Item #3.

Chairman Lawrence asked that Item #5.3 a-d be reordered. He asked that "Rolling Oaks Court" become Item 5.a; that "Valley Oaks First Addition" remain Item 5.b; Flag Trail become Item 5.c; and that Gensmer Circle become Item 5.d.

Chairman Lawrence also asked that "Joint Meeting on Flood Preparation with Prior Lake" be added as Item #6 under Old Business.

Township Treasurer LeVoir asked that "Credit Rating" be added as Item #4 under New Business.

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

Items were added or re-ordered as requested.

2) Consent Agenda

- 1) July 2014 Treasurer's Report**
- 2) August 2014 Developer's Escrow Statement**
- 3) August 4, 2014 Board Meeting Minutes**
- 4) August 18, 2014 Road Meeting Notes –Gensmer & Rolling Oaks**
- 5) August 18, 2014 Road Meeting Notes – Flag Trail**
- 6) August 18, 2014 Road Meeting Notes – Valley Oaks First Addition**

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

3) Open Forum

The Scott County Sheriff's Deputy appeared at the meeting with the August 2014 Sheriff's Report. He reported 108 calls for service in August 2014, mostly consisting of fireworks complaints.

Resident Diane Cromer asked the Sheriff's Deputy for an update on burglaries, thefts, and a car stolen in South Credit River. Deputy said that burglaries were way up in Scott County in general. He asked that residents be aware that many are happening at isolated residences, and that jewelry, cash and narcotics are being stolen.

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

4) 165th Street East Interim Use Permit Request.

Mr. A. Segat is interested in purchasing a property that is for sale on 165th Street E., and then operating a home business at the residence. He appeared before the Board to get an indication of what the Township recommendation would be if he were to apply for an IUP (Interim Use Permit) for a home based business on that property. Mr. Segat states that he is downsizing his current Rosemount business due to a family illness. He describes the planned home-extended business as including 1 employee and meeting the 4000 sq. ft. warehouse space limit; however, because the business will be located on a gravel road, he would need a favorable Township recommendation. He describes the trucking in and out as using UPS/ Fed Ex once a week to ship his product out, and approximately once a month a larger truck would deliver his wholesale supplies.

Mr. G. Lee, a 165th Street E. Resident, who lives to the west of the property in question, made comments. Resident Lee said he didn't feel that the type of business the potential applicant is asking for would fit in the neighborhood, as it's currently made up of horse properties. Resident Lee stated that he would be against the approval of the potential IUP.

After discussion, the Board advised the potential resident that due to probable resident opposition, mostly due to road use issues, the Credit River Township Board would probably not recommend approval should an IUP come before them. Chairman Lawrence stated that if it came to a vote, he would recuse himself due to a potential conflict of interest.

5) Old Business

1) Road Brine Update.

Credit River Township Southfork Drive Resident, J. Sulzbach, appeared before the Board to discuss some tree damage/ loss due to a Road Brine spill. Resident wants an affected tree cut down, removed, and replaced with a smaller tree. Resident would like to keep the wood from the tree.

Vice Chair Kraft advises that Dustcoating Inc. is responsible for the loss, and he will contact the Contractor and ask him to facilitate the conversation with the Resident.

2) Seeded Areas on Monterey

Supervisor Schommer reported that the ditch located near the Hoffman residence on Monterey will require a couple loads of black dirt and seeding to complete the restoration there. Supervisor Schommer estimates the cost of this project will be approximately \$1200.00.

Vice Chair Kraft made a motion to restore the ditch near the Hoffman property on Monterey to a cost up to \$1200, with the funds to come out of the Lynn/ Monterey project fund. Supervisor Kostik seconded. Motion passed 5-0.

3) Feasibility Report Determination for 2015 Road Projects

a) Rolling Oaks Court.

Vice Chair Kraft reported that the residents who appeared at the Informational Meeting seemed to be in favor of the project. One resident mentioned an extra driveway on Rolling Oaks, indicating that they would like the Town Board to take that into consideration when preparing the feasibility report and estimating costs for the project, because although the resident does not have an address on that particular road, they use it.

Supervisor Kostik made a motion to approve Resolution 2014-18, Resolution Ordering a Feasibility Report for Rolling Oaks Court. Supervisor Novak seconded. Motion passed 5-0.

b) Valley Oaks First Addition.

Vice Chair Kraft reported that the majority of people appeared to be for the project, therefore, he recommended that the Feasibility study be ordered.

After Board discussion, a motion was made.

Supervisor Schommer made a motion that Resolution 2014-19, Resolution Ordering feasibility Study on Valley Oaks First Addition, be approved. Supervisor Novak seconded. Motion passed 5-0.

c) Flag Trail

Vice Chair Kraft reports that there are so many variables on Flag Trail that a feasibility study should be ordered in order to make an informed decision on whether or not it would be practicable to go forward with the reconstruct/ overlay being proposed there.

Attorney Ruppe recommends a benefit analysis due to a commercial property located on Flag Trail. This information will be valuable for the Feasibility study.

After Board discussion, a motion was made.

Supervisor Kostik made a motion that Resolution 2014 -20, Resolution Ordering Feasibility Study of Flag Trail, be approved. Supervisor Schommer seconded. Motion passed 5-0.

After Board discussion regarding hiring Appraiser William R. Waytas from Nagell Appraisal & Consulting, recommended by Township Attorney Ruppe, a motion was made.

Supervisor Novak made a motion to retain Appraiser William Waytas from Nagell Appraisal & Consulting, for appraisal work on Flag Trail; for an amount not to exceed \$1000.00. Supervisor Schommer seconded the motion. Motion passed 5-0.

d) Gensmer Circle

Gensmer Circle Resident C. Klima appeared before the Board and said that he would like to see the reconstruct deferred. He does not feel that it is ready for a full reconstruct.

Vice Chair Kraft reminded the resident that minimal maintenance will be done going forward if Gensmer Circle is not done now, as it is ready for the recommended reconstruct and is also grouped in with current projects because of their similarity. The Board informed the resident that they could not estimate when Gensmer would be put back on the Township Capital Improvement Plan if it was removed at this time. After discussion, the resident reluctantly agreed that it was better now than at a non-specified later date.

Gensmer Circle Resident Rhode appeared before the Board and stated that he was against the project.

After discussion, the Board decided to move ahead with the feasibility study.

Supervisor Schommer made a motion to approve Resolution 2014-21, Resolution Ordering Feasibility Study for Gensmer Circle. Vice Chair Kraft seconded. Motion passed 5-0.

4) SCALE Update

Credit River Township will host the County SCALE (Scott County Association for Leadership and Efficiency) in either January or February 2015. Hosting would mean that Credit River will have an opportunity to showcase the Township to the rest of the County members.

5) District 4 Meeting Update

Chairman Lawrence and Supervisor Schommer attended the District 4 Township Meetings at the Morristown Community Center in Morristown, MN. Issues discussed included: FEMA grants, streamlining the MS4 permitting process, lobbying with Cities, Association of Townships, Counties, and School Boards.

6) Joint Meeting on Flooding with Prior Lake

The City of Prior Lake will be hosting a community leader meeting to discuss flooding issues and solutions in Scott County. All Scott County communities and groups were invited to attend by the City of Prior Lake. This meeting will be held on Monday, September 22, 2014 at 5 PM at Prior Lake City Hall. Several Credit River Supervisors expressed interest in attending on behalf of the residents here that have experienced drainage and flooding issues.

The meeting will be posted as required.

6) New Business

1) Acres on Judicial Plat.

Ted Reiter, Judicial Road Resident, appeared before the Board to present his application for a Plat for a new lot, to be located next to 19364 Judicial Road, on a parcel he split off from his property.

Engineer Nelson recommended a few conditions, outlined in a Memorandum he presented to the Board. After brief discussion, a motion was made.

Supervisor Novak made a motion to approve the Acres on Judicial Road Plat, subject to the conditions outlined in the Hakanson Anderson memorandum dated 8-28-2014. A second was offered by Supervisor Kostik. Motion passed 5-0.

A copy of the Memorandum is attached to these minutes as September 3, 2014 Board Meeting Minutes Addendum A.

2) Letter to Residents re: Snowplowing Expectation

Supervisor Novak is drafting a winter road communication to the Residents of Credit River Township. This will include when the Township will plow and also note new policies for mailbox damages suffered as a result of snowplow damage.

3) Building Permit

Credit River Township recently had a Building permit for a new home canceled at the request of the contractor. The Builder is requesting some of the fees paid on the permit for the unbuilt parcel. Treasurer LeVoor would like the Board to decide what fees are refundable, if any.

After Board discussion, a motion was made.

Supervisor Novak made a motion to authorize a refund of the Park Fund Fee, the Wetland fee, and the Driveway inspection fee. Supervisor Schommer seconded the motion. Motion passed, 5-0.

The Board directed Treasurer LeVoor to refund the fees on the next claims date after proof of a canceled Building permit was presented to the Township.

4) Credit Rating

Credit River Township recently completed their annual Credit rating review with Standard & Poor's. The Township has been notified that due to several factors, the Township bond rating will be raised two levels to an "AA+" rating. Factors cited for this raise in rating were the Town's position in regards to strong liquidity, strong reserves, and the Treasurer's work in putting in place a long term financial plan. Realizing that this will result in better bond rates and save the residents and township money alike, the Board stated that they were favorably impressed with the Treasurer's work in putting this together.

7) Road Report.

1) FEMA

Vice Chair Kraft reported that there is a FEMA program that awards a 75% grant for road flood mitigation expenses. During Board discussion, it was pointed out that Lucerne Trail could use flood mitigation, including possibly raising the road and replacing culvert (s).

Engineer Nelson and Vice Chair Kraft will meet and confer. A Notice of Interest will be submitted via the FEMA website. A mitigation plan, documentation, costs, along with an H & H (Hydrologic & Hydraulic) study will be required. Engineer Nelson will look into the details and report to the Board.

2) County Rd 8.

County Road Engineer Jeanne Briol dropped off preliminary (90%) plans for CR 27. Engineer Nelson has provided comments to the County reflective of the Board's direction on this matter. Engineer Nelson reports that the Board recommended Roundabout is included.

There will be an Open House on County Rd 8 on September 23, from 4-6 PM., at the Prior Lake Fire Department #1.

3) Sealcoating

Contractors were reminded by Engineer Nelson to remove excess sealcoat rock in a timely manner.

4) Shouldering

Supervisor Kostik recommended that Credit River hold off on the shouldering until next year because it is late in the season. Supervisor Schommer and Vice Chair Kraft recommended that at least some shouldering be done before the end of the year or there may be some edge break up, specifically portions of Kane Ave. and most of Judicial.

Supervisor Kostik will check and see what areas are in need of immediate shouldering.

5) Creekwood Roads

Vice Chair Kraft reports that there are some areas that still need repairs, possibly up to \$5000.00 worth. Engineer Nelson will look at the affected areas and report back to the Board.

6) Road Fire Mark

The road fire mark on Murphy Lake Parkway will be fixed when necessary.

8) Engineer's Report.

1) Credit River Sign

Engineer Nelson submitted one Credit River sign proof for review by the Board.

The Board discussed possible changes and improvements to the layout and design.

2) Fern & Birch

Engineer Nelson presented an exhibit for pricing for drain tile from Valley Paving. Valley Paving returned with a verbal estimate of \$18/ft. (for a distance of approximately 1000 ft.), and additional charges would apply for other miscellaneous items.

Supervisor Schommer recommended directing Engineer Nelson to obtain an estimate from Mike Bohnsack and Mark's Bobcat for an estimate on this work.

Engineer Nelson reports that a pay estimate will be prepared for Fern & Birch at the October Meeting.

3) 2014 Overlay Projects

Engineer Nelson reports that the 2014 Overlay projects are substantially complete, thus pay estimates will be submitted for approval at the October Board Meeting. Final assessment decisions will also be determined at that time.

4) 19555 Oak Grove Avenue

Engineer Nelson obtained a quote of \$19,470.00 from Prior Lake Blacktop for the road repairs that will have to be done to fix the damage on Oak Grove Avenue.

The property owner's attorney, Mr. Larry Severson, requested a second quote, so Engineer Nelson obtained one by McNamara Contracting for \$28,275.00.

Township Ruppe updated the Board on the Encroachment Agreement Draft. There are some conditions attached to the agreement that are yet to be met, including “as built” to be submitted by the property owner’s engineer, Greg Halling.

5) Drainage Concerns

Regarding an area in Franciscan Retreat, Engineer Nelson addressed a storm sewer that is draining into a landlocked basin. Engineer Nelson inspected the basin and reports that it will require 1200 ft. of pipe to outlet. Supervisor Schommer reports that there is sediment in the pond that also raises the water level.

The Harvest Hills Pond drainage field has a high spot that keeps the pond from overflowing and draining properly.

Vice Chair Kraft feels that these are similar enough projects that they should be grouped with the other being considered for a FEMA grant.

6) Inquiry re: Cell Tower on 221st Street

Engineer Nelson reported that the Township was recently contacted by a consultant replacing equipment on the cell tower on 221st Street in Credit River Township for Mediacom. The County will not be asking for a Township Recommendation; however the Board is not aware of any non-compliant issues at that location.

9) Treasurer Report

- 1) Transfer Funds.** Treasurer LeVair asked that a transfer of \$55,000.00 be approved from the Township Savings Account to the Township Checking Account to pay claims.

Supervisor Kostik made a motion to transfer \$55,000.00 from the Township Savings Account to the Township Checking Account to pay claims. Supervisor Schommer seconded the motion. Motion passed 4-0.

2) Budget / Levy 2015.

Treasurer LeVair presented the 2015 Budget /Levy presentation to the Board for their comments. She will be presenting the final version of the presentation to the residents at the Continuation of the Annual Meeting on Monday, September 8, 2014 at 7 PM. The Board reviewed her presentation and made very few suggestions.

3) Certifications to 2015 Property Taxes.

Treasurer LeVair reports that Certifications to 2015 Property taxes are due by October 15, 2014. She would like to send out the letters by September 15, 2014, for a Friday, September 26, 2014 deadline.

10) Clerk's Report

1) Election Update.

Clerk Quinn offered an update regarding the August 12, 2014 Primary Election. Credit River had 253 residents vote in the Primary. The Clerk discussed the voter turnout, staffing, and the efficiency of the process with the Board. The Board plans to gauge the interest of the residents who will attend the Continuation of the Annual Meeting on

September 8 on the possibility of reducing the polling hours for the (lower turnout) Township Election to 10-8PM, versus 0700-8PM. The Clerk also reminded the Board that Pari Schilz, the Credit River Head Judge, will be making a short presentation at the next meeting. All Board Members and Residents are invited to ask their Credit River specific elections related questions and comments at that time.

2) Town Hall

In conjunction with an ongoing effort to clean up and update the Town Hall Building due to several factors, including a strong smell, running water and plumbing issues, the Board discussed hiring an Industrial Hygienist via a commercial cleaning service to diagnose the issues in the Building so that they can be repaired if possible, and as needed. After discussion, a motion was made.

Supervisor Schommer made a motion to hire the Industrial Hygienist via Servepro for an amount not to exceed \$875.00. Supervisor Kostik seconded. Motion passed 5-0.

Several other issues in the Town Hall were discussed. The water system will be inspected and repaired as necessary by Hartman Well. The Town Hall Posting Board has served its useful life and will be replaced as recommended by Supervisor Kostik by Clerk Quinn.

To keep the Hall in acceptable repair, going forward a placeholder titled "Town Hall" will be added to the agenda. Past, present and future repairs and upkeep will be discussed during this time.

3) Clerk Absence

The Clerk will be absent on October 14, 2014. The Deputy Clerk is unable to sub for the Clerk that day, and an alternate was offered to

the Board. After discussion, Credit River Township Elections Head Judge Pari Schilz was selected by the Board to sub for the Clerk that day, as an independent contractor.

Supervisor Kostik made a motion to hire Pari Schilz as a contractor for Tuesday Oct 14 clerk duties. Supervisor Schommer seconded. Motion passed 5-0.

The Clerk will contact Ms.Schilz and schedule her for that day.

11) Pay Claims.

Checks:	Paid to:	Amount:	Comments:
Paid Chk# 000272E	ANCHOR BANK	50.00	ACH/Check Scanner Fees & Chargeback Fee
Paid Chk# 000273E	VISA COMMUNITY CARD	398.61	Stamps/Office Supplies/Sprint/iContact
Paid Chk# 000274E	EFTPS	1,785.13	FICA/Medicare/Fed WH
Paid Chk# 000275E	PERA	825.43	PERA
Paid Chk# 000276E	MINNESOTA REVENUE MW5	158.13	State WH
Paid Chk# 007882	AL NOVAK	796.51	August 2014 Srv Paid in September 2014
Paid Chk# 007883	BRENT LAWRENCE	918.88	August 2014 Srv Paid in September 2014
Paid Chk# 007884	CHRIS KOSTIK	657.79	August 2014 Srv Paid in September 2014
Paid Chk# 007885	LEROY SCHOMMER	928.12	August 2014 Srv Paid in September 2014
Paid Chk# 007886	LISA QUINN	XXXX	August 2014 Srv Paid in September 2014
Paid Chk# 007887	MARY RIEDER	XXXX	August 2014 Srv Paid in September 2014
Paid Chk# 007888	SARAH LEVOIR	XXXX	August 2014 Srv Paid in September 2014
Paid Chk# 007889	TOM KRAFT	779.14	August 2014 Srv Paid in September 2014
Paid Chk# 007890	AL ASPENGREN	111.72	Primary Election Judge Wages & Mileage
Paid Chk# 007891	JOAN BALDWIN	90.72	Primary Election Judge Wages & Mileage
Paid Chk# 007892	JOHN SCHULTE	92.40	Primary Election Judge Wages & Mileage
Paid Chk# 007893	MERRY LEE LLOYD	48.16	Primary Election Judge Wages & Mileage
Paid Chk# 007894	PARI SCHILZ	325.12	Primary Election Judge Wages & Mileage
Paid Chk# 007895	SHERRI RUTMAN	234.36	Primary Election Judge Wages & Mileage
Paid Chk# 007896	THOMAS COSGROVE	113.12	Primary Election Judge Wages & Mileage
Paid Chk#	AL NOVAK	296.60	August 2014 Expense

007897			Reimbursement
Paid Chk#	ART JOHNSON		
007898	TRUCKING INC	1,425.00	Summer Road Mtc 2014
Paid Chk#			August 2014 Expense
007899	BRENT LAWRENCE	112.43	Reimbursement
Paid Chk#	BURDICK BUILDERS,		NPDES & Access Escrow
007900	INC	2,495.00	Refund
Paid Chk#	CENTERPOINT		
007901	ENERGY	12.59	Town Hall Gas
Paid Chk#	CERTIFIED		
007902	RECYCLING	55.00	Disposal Various Items
Paid Chk#	CHORES AND MORE		
007903	BY HEIDI INC	120.55	Town Hall Full Clean - 7/29/14
Paid Chk#	COURI & RUPPE,		
007904	P.L.L.P.	977.50	Legal Fees
Paid Chk#			Agenda - 8/4/14 Board
007905	ECM PUBLISHERS INC	30.24	Meeting
Paid Chk#	FITZKE		
007906	CONSTRUCTION	500.00	NPDES Escrow Refund
Paid Chk#			
007907	GE CAPITAL	140.01	Copier Expense
Paid Chk#	GOPHER STATE ONE		
007908	CALL	50.75	July 2014 Utility Locates
	HAKANSON		
Paid Chk#	ANDERSON ASSOC		
007909	INC	35,221.25	Engineering
Paid Chk#			
007910	INTEGRA TELECOM	557.30	Phone
Paid Chk#			NPDES & Access Escrow
007911	KEVIN C RAASCH	2,600.00	Refund
Paid Chk#	KLINGBERG		Curbstop Valve Repair-
007912	EXCAVATING	600.00	Territory
Paid Chk#			August 2014 Expense
007913	LEROY SCHOMMER	34.08	Reimbursement
Paid Chk#			August 2014 Expense
007914	LISA QUINN	64.56	Reimbursement
Paid Chk#	LYLE DAVIDS		
007915	CONSTRUCTION	910.00	NPDES Escrow Refund
Paid Chk#	M AND M		
007916	CONSTRUCTION	440.00	NPDES Escrow Refund
Paid Chk#	MARKS BOBCAT		Parks/Town Hall Mowing &
007917	SERVICE, INC.	5,252.47	Trimming
Paid Chk#			August 2014 Expense
007918	MARY RIEDER	4.48	Reimbursement
Paid Chk#	MIKES SEPTIC	850.00	Curbstop Valve Repair-

007919			Territory & TH Pumping
Paid Chk#			
007920	MVEC	671.75	Electricity
Paid Chk#	NATURAL SYSTEMS		
007921	UTILITIES MN	7,530.41	CSTS Monitoring
Paid Chk#	NORTHERN		Fern & Birch Reconstruct
007922	TECHNOLOGIES, INC	3,552.75	Testing
Paid Chk#	PAT HENRYS		
007923	PRESTIGE POOLS	850.00	NPDES Escrow Refund
Paid Chk#	PRIOR LAKE		
007924	BLACKTOP, INC.	1,789.00	Patching Various Streets
Paid Chk#			August 2014 Expense
007925	SARAH LEVOIR	50.00	Reimbursement
Paid Chk#	SCOTT SOIL & WATER		Building Site Inspections July
007926	CONSV DIST	1,020.00	2014
Paid Chk#	SOUTHWEST		Agenda - 7/7/14 Board
007927	NEWSPAPERS	44.07	Meeting
Paid Chk#			August 2014 Expense
007928	TOM KRAFT	41.44	Reimbursement
Paid Chk#			NPDES & Access Escrow
007929	TREVOR R SCHUSTER	2,585.00	Refund
Paid Chk#			
007930	XCEL ENERGY	12.93	St. Francis Light
Paid Chk#	YORWAY CUSTOM		
007931	HOME BUILDERS	1,205.00	NPDES Escrow Refund

Total: 84,254.30

12) Adjourn.

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

Supervisor Novak made a motion to adjourn the September 3, 2014 Credit River Township Board Meeting. Supervisor Schommer seconded the motion. Motion carried 5-0.

Meeting adjourned at 10:18 PM.

Recorded by:

Lisa Quinn, Township Clerk

Approved by:

Brent Lawrence,

Chairman, Credit River Township