

**Credit River Township Board Meeting Minutes**  
**Monday, May 4, 2015, 6pm**

**Call to Order:**

Chairman Kostik called the meeting to order at 6:00 pm.

**Members Present:**

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

**Others Present:**

Township Engineer Shane Nelson, Township Attorney Bob Ruppe, Township Treasurer Sarah LeVoir, Appraiser Del Sanko

**1) Approve or Amend Agenda**

Chairman Kostik asked if any Board member would like to add or remove anything on the Agenda.

Treasurer LeVoir asked to have the following added under Treasurer Report

- 4) South Passage CSTS capital purchase
- 5) MAT Insurance
- 6) Bonding update
- 7) Expense check re-issue
- 8) 19555 Oak Grove escrow

Supervisor Schommer Road Report adds

- 2) Road repairs

Engineer Nelson under old business adds

- 4) 2015 – overlay projects
- 8) Engineers report add
  - 1) Fern and birch
  - 2) Seal coat projects

**Supervisor Lawrence made a motion to approve the amended agenda. Supervisor Tom Kraft offered seconded. Motion passed 5-0.**

**2) Consent Agenda**

- 1) March 2015 Treasurer's Report
- 2) April 2015 Developer's Escrow Statement
- 3) April 6, 2015 Board Meeting Minutes
- 4) April 20, 2015 Continuation April Meeting Minutes

**Chairman Kostik asked for a motion to approve the Consent Agenda. Supervisor Schommer made a motion to approve the amended agenda. Supervisor Lawrence seconded. Motion passed 5-0.**

**3) Open Forum**

Laura Carder asked to board to approve repairs and relocation of fence on her property. The Stonebridge CSTS fence, which is in need of repairs and its location extends into her yard, be removed and located elsewhere on the property. Supervisor Lawrence and Supervisor Kraft having examined the fence beforehand gave an overview of circumstances of this issue. Supervisor Lawrence and Supervisor Kraft determined the fence can be moved. After discussion the board decided to give authority to Supervisor Lawrence and Supervisor Kraft to determine location for replacement of fence

by working with property owner. Designating the new location should not violate utility or road easements. They are also to negotiate cost with a contractor to perform work. The CSTS district will pay the relocation and maintenance of repairs of the fence. The property owner agrees to remove posts, set posts aside for use to put fence in new location and will not grade beyond their property.

**Supervisor Schommer made a motion to delegate authority to Supervisor Lawrence and Supervisor Kraft to determine a suitable relocation of fence and to hire a contractor to do the work. Vice Chair Novak seconded. Motion passed 5-0.**

## **5) Old Business**

### **1) Traditions/Owens Development**

The board discussed several issues with Owens Development building outside the township (New Market Township) and reasonable access to that development is only from within Credit River Township. There is a possibility of Attorney Ruppe having a conflict of interest representing New Market Township and Credit River Township, in which Attorney Ruppe stated he would step aside and allow different representation on this issue. New Market has limited experience in these situations and may look to Credit River for guidance. The developer is in process of getting concept planning approval. The board agreed to contact developer and discuss Credit River Townships concerns and expectations.

**Given time constraints the board jumped ahead to:**

## **6) New Business**

### **1) Weed Control /Three Rivers Park District**

Paul ? and Angela Isaackson from Three Rivers Park District presented information on an obnoxious weed Wild Parsnip found in small patches along Murphy-Hanrehan Park, which can have serious side effects with contact. The weed is likely not to be irradiated but with help from counties and townships can be controlled and contained with mowing earlier in spring and spraying. Weed inspectors Supervisor Schommer and Supervisor Lawrence agreed to work with Paul and Angela to come up with a plan to control spread to others areas of township.

**Vice Chair Novak made motion to recess board meeting to accommodate multiple road assessment hearings. Supervisor Lawrence seconded. Motion passed 5-0.**

## **Road Assessment Hearings:**

### **Kane & Century Assessment Hearing**

Attorney Ruppe gave an overview of the Assessment Hearing Announcement and stated that any and all notices of objection must be submitted in written form before the meeting is closed. Engineer Nelson gave an overview of project. Treasurer LeVoir gave payment and tax assessment particulars for the project.

### **Open public Comment for Kane & Century Assessment Hearing**

Resident Larry Geertend expressed concern with the mix they use for the road overlay is not durable. Engineer Nelson addressed concerns and explained the current mix is superior to mixes used years back that did have issues. With scheduled proper maintenance will keep road to minimum deterioration.

**Supervisor Schommer made motion to close Kane & Century Assessment Hearing. Vice Chair Novak seconded. Motion passed 5-0.**

## **196<sup>th</sup> & Southfork Assessment Hearing**

Attorney Ruppe gave overview of the Assessment Hearing Announcement and stated that any and all notices of objection must be submitted in written form before the meeting is

closed. Engineer Nelson gave an overview of project. Treasurer LeVoir gave overview of payment and tax assessment particulars of the project.

Open public Comments for 196<sup>th</sup> & Southfork Assessment Hearing

Resident Paul Burck asked when he will lose access to his driveway. Engineer Nelson assured Mr. Burck that his driveway will be closed for approximately 10 to 15 minutes after compacting. This is acceptable to Mr. Burck.

Resident Doug Arneson questioned the starting and completion dates of project. Also if there is a weight limit on the new road. The board explained that the actual time of project is dependent upon the schedule of contractor and the township accepting the final bid, the contractor with gives approximate dates to the township board.

Resident Doug Arnenson also asked if there is a weight limit on the new road. The board clarified what type of vehicles a 9-ton road will accommodate.

Resident Doug Arnenson concluded his questions with an explanation of Minnesota statute 435-193 through 195. Attorney Ruppe gave an acceptable overview regarding deferment; requirements and qualifications.

Resident Dave Walsted asked for clarification of the assessment process because he is selling his house and the needs to know the exact amount that is due. The board explained that the estimate is a ceiling of his cost and the actual cost isn't known until accepting the final bid. The assessment will not go higher but if assessment is lower it would reflect on the final assessment notice when the project is complete.

Resident Denise Hemmer asked which culvert is to be replaced and what road will be closed for two days. Also for assurance that it is not part of this projects cost.

**Supervisor Kraft made motion to close 196<sup>th</sup> & Southfork Assessment Hearing. Supervisor Lawrence seconded. Motion passed 5-0.**

**Casey & Killarney Assessment Hearing**

Attorney Ruppe gave overview of the Assessment Hearing Announcement and stated that any and all notices of objection must be submitted in written form before the meeting is closed. Treasurer LeVoir gave overview of payment and tax assessment particulars of the project.

Open public Comments for Casey & Killarney Assessment Hearing

Resident Steve Boegeman asked how is each property assessed. The board explained each property is assessed per parcel not by size. The board also addressed his question about the 30-days to finance upon date of adoption rule.

**Vice Chair Novak made motion to close Casey & Killarney Assessment Hearing. Supervisor Schommer seconded. Motion passed 5-0.**

**Supervisor Lawrence made motion to reconvene the May 4<sup>th</sup> board meeting. Supervisor Schommer seconded. Motion passed 5-0.**

## 5) Old Business

- 1) 2015 CIP Projects
  - a) Flag Trail
  - b) Rolling Oaks
  - c) Gensmer Cir

Supervisor Schommer and Vice Chair Novak met with attorney Christine Lake, who represents a number of the clients objecting to the Flag Trail road project. The lower full assessment value developed by the board (\$8400) was unacceptable and she stated that her appraisers' opinion is that resurfacing will add zero value to unimproved parcels. The board debated the impact of delay on township infrastructure and other residents in the project area. There was general acknowledgement that costs will continue to increase if the road is allowed to deteriorate further and that returning asphalt roads to gravel is not a preferred solution. The board acknowledges that the residents rejecting the project may seek representation and settle through the court system. This would be unfortunate to residents of Credit River Township by jeopardizing guidelines, policies and procedure that were put in place a couple years ago that gave opportunity of the benefits of fairness and keeping cost down in whatever construction needs are met in establishing safe and well maintained township roads.

Resident Diane Cromer needed clarification which was addressed by the board in above statement.

**Supervisor Kraft made motion to accept resolution # 2015-35, accepting bid and awarding the contract for road improvements to Flag Trail, Rolling Oaks and Gensmer Circle. Supervisor Schommer seconded. Motion passed 4-1 with Supervisor Lawrence voting Nay.**

Treasurer LeVoir asked the board who is to sign the bonding process passing without a clerk who will sign. Suggested assign an interim clerk – which is addressed later in meeting.

## 2015 Overlay Projects

Engineer Nelson gave overview of the bids and to recommend and award the project.

**Supervisor Kraft made motion to accept Resolution 2015-36 Accepting Bid and Awarding Contract to Prior Lake Blacktop for road improvements to Casey Parkway, Killarney Avenue, Century Court, Kane Avenue, Southfork Drive and 196<sup>th</sup> Street. Supervisor Schommer seconded. Motion passed 5-0.**

## 6) New Business

- 1) NSU Contract Renewal

Attorney Ruppe addressed renewal of the contract and suggested it would be fine assuming they have not modified their general terms and conditions.

Treasurer LeVoir added in reference to an email from Engineer Nelson it's the same master agreement as in the past with the exception to the wording that there is an option to change from time and materials to lump sum at some point if you choose to do so. Also rates will increase in accordance with the CIP beginning in 2017.

**Supervisor Lawrence made motion to accept renewal of NSU Contract pending Attorney Ruppe review. Supervisor Schommer seconded. Motion passed 5-0.**

- 2) MAT Legal Seminar Update

Supervisor Lawrence attended the seminar and gave an overview of applicable items on their agenda and shared highlights. MS4, land use, zoning, land use, dust control and safety were discussed. The board had discussion on wearing safety equipment when township supervisors are doing work for the township - (checking on road work, removing trees, assessing property, examining damages, etc) and concluded it would remain the responsibility of the individual supervisors.

3) Met Council Draft Population Forecast

Chairman Kostik gave an update and informed members they can email comments or questions to Met Council contact located in drop box.

4) Frontier Estates Lot Split

Chairman Kostik initiated discussion regarding splitting lots. Frontier Estates property was originally platted to split – but was combined for tax purposes and now requests to split. Lot owner Tom Wolter has purchased the split lot on property in Frontier Estates which has an accessory structure. For future issues on property lot spitting it was mentioned Scott County should draft policies or procedures to ensure a home is actually built when there are existing buildings or structures already on site. Attorney Ruppe proposed several mechanisms for ensuring compliance. Attorney Ruppe will work with Tom Wolter on drafting documents to approve Frontier Estates Lot Split, a duration of 18 months will be allowed for house construction. Escrow has already been received from Mr. Wolter.

**Vice Chair Novak made motion to approve lot spit Frontier Estates upon Attorney Ruppe (with Tom Wolter) preparing necessary documents. Supervisor Schommer seconded. Motion passed 5-0.**

7) Road Report

1) Drainage

Pebble Brook – fixed culvert, waiting 2 weeks to settle then complete filling it in.

Steel culvert on 196<sup>th</sup> street has rusted out. The board discussed replacing with concrete now with current road construction and easement available. Engineer Nelson will review and give recommendations on how to repair.

2) Road Repairs

Franciscan Retreats and Creekwood potholes have been filled but additional pot-holes were reported. Murphy Lake Boulevard is in need of repairs to a culvert that has separated. Dust coating and gravel hauling were discussed. Quote received for patching on overlay and seal coat roads, each are considered separate projects. Action for engineer to attain an additional quote. The patching does not include Flag Trail which will be covered within its own project.

8) Engineer's Report

1) Fern & Birch

Engineer Nelson gave an overview of project and addressed issues which the board previously denied approval and payment on for “extras” that were added to the project. Attorney Ruppe advised to issue a formal letter stating which items are not payable by township. Assigned Engineer Nelson to analyze invoice then work with Attorney Ruppe to draft a letter of response.

**Supervisor Kraft made motion that Engineer Nelson is to analyze invoice and draft a response letter with help from Attorney Ruppe. Vice Chair Novak seconded. Motion passed 5-0.**

2) Seal coat projects

Engineer Nelson reviewed and updated the board with a map of seal coat projects.  
Engineer Nelson asked for authorization to approval the final specs and to authorize bids.

**Vice Chair Novak made motion to approve seal coat estimate and go ahead with bids. Vice Chair Novak seconded. Motion passed 5-0.**

Engineer Nelson added one additional item:

Crack filling pavement quotes for 2012/2014 roads:

New road construction on a 2 to 3 year cycle for maintenance is schedule for Lynn Drive and Monterey Avenue (2012/2014 project).

The bids are below the budgeted allowance, Engineer Nelson asked for approval to accept bids and proceed with maintenance.

**Supervisor Kraft made a motion to approve crack filling estimate from Gopher State and move ahead with the project. Supervisor Schommer seconded. Motion passed 5-0.**

#### 9) Treasurer's Report

##### 1) 19555 Oak Grove escrow

Treasurer LeVoir advised that the escrow account for 19555 Oak Grove has a negative balance and explained the details and dates regarding Oak Grove escrow. Needs the boards' direction on escrow balance. Continued work and the encroachment agreement were discussed. Board direction is to request \$5,000 in additional escrow. Attorney Ruppe to make request to Attorney Severson.

##### 2) Transfer Funds

**Supervisor Lawrence made motion to Transfer Funds. Supervisor Kraft seconded. Motion passed 5-0.**

##### 3) Bank Updates

Treasurer LeVoir updated and review changes with bank interest. Signatures of Chairman Kostik and Vice Chair Novak leadership have been changed and added. Treasurer LeVoir asked for a motion that board acknowledge the removal of Lisa Quinn and Mary Reider from signers at Bank.

**Supervisor Schommer made a motion to remove Lisa Quinn and Mary Reider as signers on banking activities. Supervisor Lawrence seconded. Motion passed 5-0.**

##### 4) Site Soil and Water

Treasurer LeVoir informed the board that Scott Soil and Water inspection fees have increased

##### 4) South Passage CSTS capital purchase

Treasurer LeVoir presented overview South Passage CSTS pump repair of \$1,113.61 capital purchase. Update and review of dollars removed from capital expense and added as restricted expense.

**Supervisor Schommer made motion to treat CSTS capital purchase of \$1,113.61 as a capital expense and deducted from restricted. Supervisor Lawrence seconded. Motion passed 5-0.**

##### 5) MAT Insurance

The Premium is due and a good time for the board to review and make changes. There was discussion regarding Creekwood insurance and if it needs to be increased. Also townships computer property insurance and overviewed insurance levels with remaining parks in Credit River Township.

6) Bonding update

Treasurer LeVoir initiated discussion on starting the bonding process now that the bids have been awarded. The bonding process takes about seven weeks. Treasurer LeVoir advised starting this month would be optimal to begin. Also stated the need to begin discussion on pre-sale bonding and premium estimates. Treasurer LeVoir gave recommendations of how to approach estimating process.

7) Expense Check Re-issue

Treasurer LeVoir asked the board on procedures for handling an employee's lost check. It was decided the township will cover fees to stop payment and Treasurer LeVoir should reissue a check.

10) Clerk's Report

Clerk Position Update

Chairman Kostik gave details and updates regarding the candidates interviewed for the clerk position. The top four candidates will be invited to attend the latter part of May 18 meeting from 7:00 - 8:30 allowing each supervisor an opportunity meet and ask additional questions. The board also discussed the need for an interim clerk to sign documents until the position is filled. Supervisor Novak volunteered Connie Novak to serve as clerk on an interim basis.

**Vice Chair Novak made a motion to appoint Connie Novak interim clerk until the clerk position has been filled. Supervisor Schommer seconded. Motion passed 5-0.**

11) Town Hall

Vice Chair Novak pointed out that there is a leak in the well. Vice Chair Novak was authorized to call Hartmann well to investigate and correct the well issues (pipe, pump, and wiring as necessary).

12) Review & Pay Bills

13) Adjourn