

Credit River Township Board Meeting
Monday, February 2, 2015, 6pm
Meeting Minutes

The February 2, 2015 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:

Clerk Quinn asked that "Annual Meeting Update" be added to Clerk's Report as Item #2.

Supervisor Novak asked that "Clerk PC & Tablets" be added to the Agenda under Old Business as Item #8.

Supervisor Schommer made a motion to approve the amended agenda.

Supervisor Kostik seconded. Motion passed 5-0.

Items were added as requested.

2) Consent Agenda

- 1) December 2014 Treasurer's Report**
- 2) January 2015 Developer's Escrow Statement**
- 3) January 6, 2015 Meeting Minutes**

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

3) Open Forum

J. Walters, a Credit River Resident, appeared before the Board to ask for their help and guidance to interpret a setback (zoning) issue regarding her property. After a brief discussion, and upon recommendation of the Town Attorney Bob Ruppe, the Board advised the resident that a review of the situation with a private attorney (such as a real estate attorney), who would be skilled in such matters was advisable.

Calling for, but hearing no other items for Open Forum, it was closed by Chairman Lawrence.

4) Natchez Ave Lot Split

Resident T. Haataja appeared before the Board to discuss his planned lot split in Credit River Township on Natchez Ave. After brief discussion, a Town Board recommendation was given.

Supervisor Kostik made a motion to approve the Haataja lot split. Vice Chair Kraft seconded the motion. Motion passed 5-0.

5) Old Business

1) Hazard Mitigation Grant Update

State Senator Eric Pratt made a statement regarding State Hazard Mitigation Grants. Minnesota Senators are working with the State Board of Water and Soil, the DNR and Governor's office on Hazard Mitigation Grant funding prerogatives. Scott County Officials have asked Cities and Towns to prioritize projects. The Senators will be working with County Officials to identify optimal projects that would fit into available funding options.

2) Fern & Birch Contractor Update

Attorney Ruppe reported that no new information has been received and that at this point this matter can be considered dormant and removed from the calendar, absent any further contact.

3) 19555 Oak Grove Avenue Update

Attorney Ruppe reports that he has had discussions with the property owner's attorney, Larry Severson. The Town attorney has requested the payment of \$5,000.00 for the damage done by the property owner's contractor to Oak Grove Avenue. The property owner's attorney stated that he needed more time to communicate with his client.

With regard to the decorative monuments previously installed by the property owner within the Township's drainage and utility easement, the Town Attorney reported that he is currently negotiating an amended encroachment agreement with the property owner. However, the property owner has indicated that he would also like to perform landscaping work on the other south stormwater pond. The property owner's engineer and contractor are to provide plans for this proposed work for the Township Engineer to review prior to any work being performed. The property owner's attorney stated that this additional work would not be performed until approved by the Township Engineer and Town Board. If this additional pond maintenance is approved by the Town Board that approval would need to be added into the amended encroachment agreement and recorded with Scott County.

Treasurer LeVoir updated the Board that the total amount of invoices received in regards to the various issues regarding this property owner is as of this time approximately \$3,000.00. The Board asked that the Town Attorney notify Mr. Severson that his client's escrow will need to be replenished, or the Township's costs and expenses will be certified to his client's 2015 property taxes.

3) Planning & Zoning Update

Because of ongoing issues that need to be worked out, Chairman Lawrence and Supervisor Schommer will meet with County Officials to communicate Township concerns.

5) Escrow Update

Clerk Quinn related concerns that Resident C. Jurgensen (who recently filed a Lot Line Reconfiguration) passed along to her regarding some direction he was given regarding deeding a public easement to the Township. After discussion, it was decided by the Board to handle the matter by mail with the two residents involved. Clerk Quinn will begin the process and update the Board at the March 2015 Credit River Township Board Meeting.

6) Meadow View Blvd. Escrow Update

Treasurer LeVoir reminded the Board that by contract, a \$31,500.00 escrow will go back to the original submitter of said escrow if a decision on constructing a road in that location is not made by June 6, 2015. Chairman Lawrence recommended revisiting the issue at the May 2015 Board Meeting.

7) Fire Meeting Update

Chairman Lawrence updated the Board on the Fire Department Meeting he and Treasurer LeVoir had with Fire Chief Doug Hartman and PL City Officials in January. In that meeting the ISO (insurance service office) Ratings Project was discussed; Chief Hartman will speak at the Credit River Township Annual Meeting on March 10, 2015 and update the residents at that time.

Chief Hartman also reported that the Fire Department is in the process of purchasing an Argo Vehicle, which is a vehicle that can travel on ice and water that can be used for rescue and fighting fires by the shoreline.

Treasurer LeVoir spoke on the financials related to the Fire Contract. The FD is slightly under budget so it is possible that CR will see a credit on the 2016 invoice.

Chairman Lawrence reminded the Board that the current Fire Services Contract with the City of Prior Lake Fire Department ends in 2015. The Prior Lake Chief & City Officials asked what the status of the Credit River Board's feelings were on renewing the contract. As excellent and fairly priced services have been received, the Board does not see any obstacles to renewing the Fire Services Contract with Prior Lake for the period 2016-2020.

8) Clerk PC and Tablets

Supervisor Novak updated the Board on the status of the new Township Computer and discussed ordering tablets for the Supervisors, as he had noted when ordering the new computer that the tablets were very fairly priced.

6) New Business

1) Wastewater Treatment Awards- Territory

Chairman Lawrence reports that Credit River has received a Wastewater Treatment Facility Award for the Territory CSTS from the MPCA (Minnesota Pollution Control Association).

The awards ceremony will be held on March 25, and all Supervisors and residents are invited to attend. Please contact the clerk if you are interested in the details.

2) Highway 27 Corridor Study

Andy Hingeveld will attend the Credit River Township March meeting to present the CSAH 27 Corridor Study Draft.

Supervisor Kostik will reiterate the board's recommended changes as they did not appear in the final draft; the Town Board will not support the construction of the Road without their recommendations incorporated into the plan.

3) **2015 LBAE Location**

The Scott County Tax Assessor requests the location of the 2015 Local Board of Appeal and Equalization for Credit River Township. After discussion, the Board feels confident that the Town Hall will be ready by mid-April; so they requested that Clerk Quinn contact the County Tax Assessor so that residents can be notified of the date, time and location, as usual.

7) **Road Report**

1) **Drainage**

Chairman Lawrence reports a call about a plugged culvert on Birch. Supervisor Schommer recommends calling Goliath Hydrovac to open it up.

Furthermore, a resident reported that a culvert on Birch has a drainage issue. Engineer Nelson did a site inspection and noted that the water was frozen in the culvert. He recommended that the resident be told that the Town would inspect it in the spring to be sure it was flowing.

Vice Chair Kraft reports that although there have been very few snow events, plowing in the Township is going pretty smoothly with few complaints. VC Kraft asks that when residents see the snowplow on their streets and cul de sacs, to please move their car as the plow needs to continue to move at a certain velocity to do an effective job.

8) Engineer's Report.

1) 2015 Overlays.

a) Century Court & Kane Avenue Overlay Project

Engineer Nelson briefed the Board on the Century Court and Kane Avenue Overlay Project. Engineer Nelson reports that the project estimate is \$70,400.00, and consists of 11 benefitting properties that will be assessed at approximately \$3,200.00 each. This assessment amount is due to the small size of the project, and large size of the lots.

Vice Chair Kraft made a motion to accept Resolution 2015-05, Resolution Ordering Feasibility Report for the Kane Avenue-Century Court Overlay Project. Supervisor Novak seconded. Motion passed 5-0.

b) Southfork Drive and 196th Street E Overlay Project

Engineer Nelson reports that the total estimated cost of this project is \$136, 880.00. This project has 29 fully benefitting properties, resulting in an estimated assessment of \$2,360.00 each.

Supervisor Schommer made a motion to accept Resolution 2015-06, Resolution Ordering Feasibility Report for Southfork Drive & 196th Street E. Supervisor Kostik seconded. Motion passed 5-0.

c) Casey Parkway and Killarney Avenue

Engineer Nelson reports that the total costs for this section of the 2015 overlay is estimated to be \$149,910.00; which results in an estimated \$2,630.00 assessment per full benefitting property; and a \$1,315.00 assessment for the secondary access benefitting property.

Engineer Nelson discussed an agricultural property that is located on Killarney Ave. The property is accessed on 175th Street, therefore will not be part of the assessed area in this project.

Engineer Nelson then discussed an agricultural property that is located on Casey Parkway. This property has its primary access from Murphy Blvd., however it also has a secondary access to Casey Parkway.

After discussion, the Town Board recommended that this property be assigned a ½ assessment, which is in line with similar situations in the past.

The Board also discussed some commercial use businesses located in this assessment area. Based upon one of the properties retail/wholesale nature, and the traffic and use associated with this particular business and businesses of this type, upon advisement of the Town Attorney, the Board decided that a full assessment plus one half (1.5 assessment) be assigned to this particular property. The Board will also obtain the list of CUP's (conditional use permits) in the assessment area to determine if any other business would fall under similar perimeters.

Vice Chair Kraft made a motion to approve Resolution 2015-07, Resolution Ordering Feasibility Report for Casey Parkway & Killarney Ave, based upon Engineers review and recalculation of commercial assessments. Supervisor Kostik seconded. Motion passed 5-0.

2) 2015 Improvement Projects

a) Valley Oaks First Addition

Engineer Nelson reports that plans & specs have been prepared for the reconstruct in this area. Soil borings have been done and the results indicate some excavation and fill will have to be done.

Engineer Nelson reports that upon site inspection, there are a few obstruction / special situations to discuss in the project area, having to do with driveways, culverts and monuments. A meeting will be set up with individual homeowners in order to discuss each specific situation in an attempt to come to understanding and agreement. Additionally, Engineer Nelson reports that as a portion of the Valley Oaks First Addition Road Reconstruct, the cul-de-sac on Valley Ridge Court will be centered. The cul-de-sac is also “short” due to a grove of oak trees. Engineer Nelson notes that in order to center the cul-de-sac and create the full radius, the oaks must be removed. Engineer Nelson recommends scheduling a time to discuss the impacts with the affected property owners.

Engineer Nelson also discussed with the Board the timeline for the Assessment Hearings for the 2015 Reconstruct projects, which includes Valley Oaks First Addition. After brief discussion, the Board set the Valley Oaks First Addition Assessment Hearing for March 23, 2015 at 6:30 PM. The Meeting will be held at Prior Lake Fire Department #1, located at 16776 Fish Point Road, Prior Lake, MN 55372. Clerk Quinn will post, publish and mail notices as required to affected homeowners.

Vice Chair Kraft made motion to approve Resolution 2015-08, Resolution Approving Plans & Specifications and Ordering Advertising for Bids for Valley Oaks First Addition. Supervisor Novak seconded the motion. Motion passed 5-0.

Supervisor Schommer made a motion to approve Resolution 2015-12, Resolution Declaring Costs to be Assessed, and Ordering Preparation of Proposed Assessment and Notice of Assessment Hearing for Valley Oaks First Addition Supervisor Novak seconded. Motion passed 5-0.

b) **Flag Trail**

Engineer Nelson explained that the remaining three projects (Flag Trail, Rolling Oaks Court, and Gensmer Circle) are similar enough in nature and would create efficiencies and thus cost savings if they were packaged together. However, he cautioned that if one or more of the projects does not go forward, it may cause the project to have to be repackaged which would be considered a significant change to the project, and would likely change pricing for the remaining components of the project.

Engineer Nelson also discussed the culverts and which ones would need replacement in the project areas. The board discussed using a filler product in order to extend the life of some culverts that need repair, not replacement.

Engineer Nelson also discussed with the Board the timeline for the Assessment Hearings for the 2015 Reconstruct Projects, which includes Flag Trail. After brief discussion, the Board set the Flag Trail Assessment Hearing for March 23, 2015 at 7:15 PM. The Meeting will be held at the Prior Lake Fire Department #1, located at 16776 Fish Point Road, Prior Lake, MN 55372. Clerk Quinn will post, publish and mail notices as required to affected homeowners.

Supervisor Kostik made a motion to approve Resolution 2015-09, Resolution Approving Plans and Specifications and Ordering Advertisements for Bids for Flag Trail. Vice Chair Kraft seconded. Motion passed 5-0.

Vice Chair Kraft made a motion to approve Resolution 2015-13, Resolution Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessment and Notice of Assessment Hearing for Flag Trail. Supervisor Schommer seconded. Motion passed 5-0.

c) **Rolling Oaks Court**

Engineer Nelson also discussed with the Board the timeline for the Assessment Hearings for the 2015 Reconstruct projects, which includes Rolling Oaks Court. After brief discussion, the Board set the Rolling Oaks Court Assessment Hearing for March 23, 2015 at 8:30 PM. The Meeting will be held at the Prior Lake Fire Department #1, located at 16776 Fish Point Road, Prior Lake, MN 55372. Clerk Quinn will post, publish and mail notices as required to affected homeowners.

Supervisor Kostik made a motion to approve Resolution 2015-10, Resolution Approving Plans and Specifications and Ordering Advertisements for Bids for Rolling Oaks Court. Vice Chair Kraft seconded. Motion passed 5-0.

Vice Chair Kraft made a motion to approve Resolution 2015-14, Resolution Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessment and Notice of Assessment Hearing for Rolling Oaks Court. Supervisor Schommer seconded. Motion passed 5-0.

d) **Gensmer Circle**

As discussed previously, Engineer Nelson stated that this project will need 8- 10" gravel to raise the road bed up.

Supervisor Schommer stated that tree trimming would be required here, as well.

Engineer Nelson also discussed with the Board the timeline for the Assessment Hearings for the 2015 Reconstruct projects, which includes Gensmer Circle. After brief discussion, the Board set the Gensmer Circle Assessment Hearing for March 23, 2015 at 8:00 PM. The Meeting will be held at the Prior Lake Fire Department #1, located at 16776 Fish Point Road, Prior Lake, MN 55372. Clerk

Quinn will post, publish and mail notices as required to affected homeowners.

Supervisor Novak made a motion to approve Resolution 2015-10, Resolution Approving Plans and Specifications and Ordering Advertisements for Bids for Gensmer Circle. Vice Chair Kraft seconded. Motion passed 5-0.

Supervisor Kostik made a motion to approve Resolution 2015-13, Resolution Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessment and Notice of Assessment Hearing. Supervisor Schommer seconded. Motion passed 5-0.

Furthermore, Engineer Nelson discussed liquidated damages to be included in the contracts for the upcoming road projects. He estimates that costs for delays are now calculated to be approximately \$800 per calendar day. At the direction of the Town Attorney and Board, the Engineer will write a memorandum to memorialize how the current liquidated damages charge per day is arrived at.

Supervisor Kostik made a motion to approve the updated liquidated damages charge per day, and set the rate based upon the calculations verified by Engineer Memo to \$800/day. Supervisor Schommer seconded the motion. Motion passed 5-0.

Engineer Nelson closed out the discussion on the 2015 CIP (Capital Improvement Projects) by providing some estimates on important dates for the Valley Oaks Reconstruction Project. It is weather dependent; however, he estimates substantial completion by September 15, 2015; and estimated final completion approximately August 1, 2016.

For the 2015 projects involving Flag, Gensmer & Rolling Oaks, he estimates a substantial completion date of August 28, 2015.

3) Sign Replacement Project

An invoice has been received from ID Sign Solutions, Inc. for the 2014 sign replacement program for \$14,854.27, slightly more than estimated due to some post initial calculation, but necessary, add-ons.

Supervisor Kostik made a motion to approve the 2014 Sign Replacement Program invoice from ID Sign Solutions, Inc. in the amount of \$14,854.27. Supervisor Novak seconded. Motion passed 5-0.

10) Treasurer Report

1) Transfer Funds. Treasurer LeVoir asked that a transfer of \$145,000 be approved from the Township Savings Account to the Township Checking Account to pay claims.

Supervisor Kostik made a motion to transfer \$145,000.00 from the Township Savings Account to the Township Checking Account. Vice Chair Kraft seconded the motion. Motion passed 5-0.

2) Audit Update

Treasurer LeVoir reports that the on premise portion of the Annual audit has been completed, and that there is nothing unusual to report.

Treasurer LeVoir reports that the final report is due Tuesday, February 24th, and that a member of the management staff of the auditing firm will give a brief report on the findings and any recommendations to the Board at the March Town Board Meeting on Monday, March 2, 2015.

10) Clerk's Report

1) Town Election Update

Clerk Quinn asks the Board for a new coffee pot for Election Day use.

Supervisor Schommer made a motion to approve an expenditure of up to \$60 for a coffee pot. Supervisor Novak seconded. Motion passed 5-0.

Supervisor Kostik will purchase and deliver the coffee pot to the Town Hall in time for the March 10, 2015 election.

2) Annual Meeting Update

Clerk Quinn reports that the Annual Meeting is booked and confirmed for March 10, 2015 at 8:30 PM. By motion of the Residents at the 2014 Annual Meeting, the meeting will be held at the above date and time at Prior Lake Fire Station #1.

Located at 16776 Fish Point Road, Prior Lake, MN 55372.

Clerk Quinn reminds the Board that due to her presence at the Town Election polling place, the Deputy Clerk Mary Rieder will be fulfilling the Clerk duties at the Annual Meeting.

11) Town Hall

Supervisor Novak reports that the Town Hall floor will be Poly coated. Supervisor Kostik reports that the storage containers will arrive soon in order that the Supervisors will be able to move all of the furniture and some furnishings out of the Town Hall in anticipation of repairs continuing to the extent of the Town Board's approval.

12) Pay Claims

Checks:	Paid to:	Amount:	Comments:
Paid Chk# 000298E	ANCHOR BANK	40.00	ACH/Check Scanner Fees
Paid Chk# 000299E	VISA COMMUNITY CARD	254.97	Stamps/Office Supplies/iContact
Paid Chk# 000300E	EFTPS	1,781.73	FICA/Medicare/Fed WH
Paid Chk# 000301E	PERA	962.89	PERA
Paid Chk# 000302E	MINNESOTA REVENUE MW5	136.05	State WH
Paid Chk# 008122	AL NOVAK	701.86	January 2015 Svc Paid in February 2015
Paid Chk# 008123	BRENT LAWRENCE	678.77	January 2015 Svc Paid in February 2015
Paid Chk# 008124	CHRIS KOSTIK	589.61	January 2015 Svc Paid in February 2015
Paid Chk# 008125	LEROY SCHOMMER	678.77	January 2015 Svc Paid in February 2015
Paid Chk# 008126	LISA QUINN	XXXX	January 2015 Svc Paid in February 2015
Paid Chk# 008127	SARAH LEVOIR	XXXX	January 2015 Svc Paid in February 2015
Paid Chk# 008128	TOM KRAFT	642.02	January 2015 Svc Paid in February 2015
Paid Chk# 008129	LAURA WEBSTER	112.00	General Election 2014 - Judge Wages
Paid Chk# 008130	ABDO EICK & MEYERS LLP	14,000.00	FYE 2014 Audit - Progress Payment
Paid Chk# 008131	AL NOVAK	9.20	January 2015 Expense Reimbursement
Paid Chk# 008132	BUSINESS FORMS & ACCOUNTING	182.46	Credit River Township Envelopes
Paid Chk# 008133	CENTERPOINT ENERGY	152.56	Town Hall Gas Plowing & De-icing Judicial Rd November 2014
Paid Chk# 008134	CITY OF LAKEVILLE	635.95	
Paid Chk# 008135	CITY OF PRIOR LAKE	87,984.00	First Half 2015 Fire Contract
Paid Chk# 008136	COLLINS TREE CARE, INC	2,400.00	Tree Trimming and Removal
Paid Chk# 008137	COURI & RUPPE, P.L.L.P.	2,720.00	Legal Fees
Paid Chk# 008138	ECM PUBLISHERS INC	34.02	Legal Publishings
Paid Chk# 008139	GALLAGHERS	11,981.50	January 2015 Winter Road Mtc
Paid Chk# 008140	GOPHER STATE ONE CALL HAKANSON ANDERSON ASSOC INC	113.05	Utility Locates
Paid Chk# 008141	INC	20,217.75	Engineering
Paid Chk# 008142	HEATHER L MONSERUD	15.00	Remaining Balance Owed - NPDES Refund
Paid Chk# 008143	INTEGRA TELECOM JB WOODFITTER AND ASSOCIATES	564.58	Phone
Paid Chk# 008144	ASSOCIATES	325.00	NPDES Escrow Refund
Paid Chk# 008145	LISA QUINN	73.00	January 2015 Expense Reimbursement
Paid Chk# 008146	MALLERY POOL CONSTRUCTION	775.00	NPDES Escrow Refund
Paid Chk# 008147	MARKS BOBCAT SERVICE, INC.	150.00	Town Hall Parking Lot & Sidewalk Winter Mtc
Paid Chk# 008148	MINNESOTA DEPT OF HEALTH	150.00	Monterey Heights Monitoring Well Permits
Paid Chk# 008149	MVEC	671.51	Electricity
Paid Chk# 008150	NATURAL SYSTEMS UTILITIES MN	7,845.54	CSTS Monitoring
Paid Chk# 008151	POLYTEK SURFACE COATINGS	1,508.50	25% Down Payment Town Hall Floors
Paid Chk# 008152	ROADKILL ANIMAL CONTROL	237.00	Road Kill/Deer Disposal 2014 (3 Total)
Paid Chk# 008153	ROVE PEST CONTROL	75.00	Qtrly Pest Control Service
Paid Chk# 008154	SABA HOME CONSTRUCTION, INC.	9,353.43	Town Hall Building Repairs
Paid Chk# 008155	SARAH LEVOIR SCOTT SOIL & WATER CONSV	138.32	January 2015 Expense Reimbursement Nov 2014 & Dec 2014 Building Site
Paid Chk# 008156	DIST	465.00	Inspections
Paid Chk# 008157	SIGN SOLUTIONS LLC	14,854.27	Township Street Sign Replacement
Paid Chk# 008158	SOUTHWEST NEWSPAPERS	98.46	Legal Publishings
Paid Chk# 008159	TOM KRAFT	11.50	January 2015 Expense Reimbursement
Paid Chk# 008160	TRANS-ALARM	89.85	Town Hall Alarm Monitoring Srv

Paid Chk# 008161	U.S. BANK EQUIPMENT FINANCE	286.50	Copier Lease Payments - Jan 2015 & Feb 2015
Paid Chk# 008162	XCEL ENERGY	13.36	St. Francis Light

Total 189,287.21

13) Adjourn

There being no further business before the Town Board, a motion to adjourn the February 2, 2015 Credit River Township Board Meeting was heard.

Supervisor Kostik made a motion to adjourn the February 2, 2015 Credit River Township Board Meeting. Vice Chair Kraft seconded the motion. Motion carried 5-0.

The February 2, 2015 Credit River Township Board Meeting was adjourned at 9:05 PM.

Recorded by:

Lisa Quinn
Clerk of Credit River Township

Approved by:

Brent Lawrence
Chairman, Board of Supervisors
Credit River Township
