

# **Credit River Township Monthly Meeting Minutes August 28, 2002**

## **Call to Order**

Chairman John Kane called the meeting to order at 7:08

## **Members Present:**

John Kane, Leroy Schommer, Dan Casey, Clerk Jerry Maas, Treasurer Ginny Dahl, Township Attorney John Roach, Township Engineer Greg Halling

## **Minutes of Previous Meeting:**

Minutes of the August 5, 2002 Meeting were read. Dan Casey made a motion to accept the minutes as read. Leroy Schommer seconded, all in favor, motion carried 3-0.

Minutes of the August 19, 2002 Special Meeting were read. Leroy Schommer made a motion to accept as read, John Kane seconded, all in favor, motion carried 2-0. (Dan Casey abstained in that he wasn't at the August 19<sup>th</sup> meeting)

## **Treasurers Report:**

Treasurer's report was read. Leroy Schommer made a motion to accept as read. Dan Casey seconded, all in favor, motion carried 3-0.

## **Agenda Items**

### **Open Forum:**

John Kane introduced Pat Ciliberto, candidate for County Attorney who took occasion to address the group for 5 minutes.

### **Rick Sohler - Whitewood Ave resident – Request variance on setback requirement in order to replace a non-compliant septic system.**

After a brief discussion, the Town Board issued a favorable recommendation form for the Sohler's to submit to Scott County.

### **Discussion of the need for a resolution to insure orderly construction sites in the Township.**

The Board discussed what was becoming a problem in that trash and waste were collecting on construction sites and there was a general disregard for the Township right of way.

A possible solution might be collecting a fee from the builder at the time permits are issued to hold in escrow against future expense incurred by the Township for cleanup. It was noted that this action would cause additional bookkeeping expense to the Township. An alternative would be issuing stop work order in cases of non-compliance.

It was also suggested that the clerk inform permit requesters that shut down orders might be in order. The Board requested that Mr. Roach prepare a warning statement and a resolution for adoption at the next monthly meeting (September 16<sup>th</sup>)

The Board requested that Greg Halling review signage requirements for the Cedarwood Development.

### **Discussion of Ordinance for SSD Operation**

Greg Halling submitted draft proposals of ordinances for the Subordinate Service Districts for the South Passage and Monterey Heights developments.

Dan Casey made a motion to set a public hearing for the SSDF ordinance on October 7th at 7:15 pm. Leroy Schommer seconded, the motion, all in favor, motion carried 3-0.

### **William Feldman – Westwood Development – Request Final Plat Approval Grey Fox Estates – 3<sup>rd</sup> Addition.**

William Feldman appeared before the board with this request for Final Plat approval of Grey Fox Estates – 3<sup>rd</sup> addition. After some discussion, the Board gave Mr. Feldman a recommendation of approval to submit to Scott County. Mr. Feldman also requested a reduction in the amount of his letter of credit for this project. The Board directed Greg Halling to re-compute the amount of the credit line required.

### **Discussion on Turn Lanes on Highway 8 at Wagon Wheel**

Greg Halling presented a preliminary plan for this project. The Board will seek quotes for this work and will pursue discussion with Scott County on financial participation.

### **Discussion of Resolution on Bond Payoff for Country Court Road improvement account**

In that all of the assessment funds have been collected and the Township has funds available, it has been suggested that the Township prepay these bonds to save additional interest expense. With this in mind, Dan Casey introduced the following resolution # 2002 - 6 proposing to prepay these bonds and moved for its adoption.

### **Resolution Number 2002-06**

### **RESOLUTION CALLING FOR THE REDEMPTION OF THE OUTSTANDING GENERAL OBLIGATION REFUNDING BONDS OF 1989**

WHEREAS:

- A. The Town Board of the Town of Credit River, Minnesota issued \$300,000 General Obligation Bonds of 1990, dated June 1, 1990; and
- B. All of said bonds maturing on December 1, 2000 to 2005, inclusive and thereafter, are subject to redemption, in whole or in part, and prepayment at the option of the Township on December 1, 1999, and on any date thereafter at 100.50% plus accrued interest, all as provided in the resolution of the Township authorizing the issuance of said bonds; and
- C. The Township deems it desirable and in the best interest of the Township to call \$60,000 of the outstanding bonds maturing in the years 2003 to 2005, inclusive, for redemption on December 1, 2002, in accordance with said resolution authorizing the issuance of said bonds, and

NOW THEREFORE, BE IT RESOLVED by the Town Board of the Town of Credit River, Minnesota as follows:

- 1. \$60,000 of the General Obligation Bonds of 1990, dated June 1, 1990, of the Town of Credit River, Minnesota, maturing in the years 2003 to 2005,

inclusive, shall be redeemed and prepaid on December 1, 2002, at 100.50% of their principal amount plus accrued interest for each such bond called.

2. The Town Clerk is hereby authorized and directed to give mailed notice of call to the bank where said bonds are payable and said bank shall provide such notice to the holders of the bonds as may be required by law. Said notice shall be in substantially the following form:

# NOTICE OF CALL FOR REDEMPTION

GENERAL OBLIGATION BONDS OF 1990

DATED: June 1, 1990

TOWN OF CREDIT RIVER, MINNESOTA

NOTICE IS HEREBY GIVEN that by order of the Town Board of the Town of Credit River, Minnesota, there have been called for redemption and prepayment on

**December 1, 2002**

Those outstanding bonds of the Township designated as General Obligation Bonds of 1990, dated June 1, 1990, having the stated maturity dates of December 1, 2003 to 2005, inclusive, totaling \$60,000 in principal amount. The bonds are being called for redemption at a price of 100.50% of their principal amount plus accrued interest to December 1, 2002, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment U. S. Bank Trust National Association (formerly known as First Trust N.A.), 180 East Fifth Street, 4<sup>th</sup> Floor-Bond Drop Window, or if by mail, to P.O. Box 64111, in St. Paul, Minnesota 55164-0111, on or before December 1, 2002.

Dated: August 28, 2002

BY ORDER OF THE TOWN BOARD

---

Jerald R. Maas  
Town Clerk

**Important Notice:** In compliance with the Economic Growth and Tax Relief reconciliation Act of 2001, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time of the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

Additional Information may be obtained from:

JURAN & MOODY, a division of  
Miller Johnson Steichen Kinnard, Inc.  
920 Second Avenue South, Suite 1400  
Minneapolis, Minnesota 55402  
Attn: Lori A. Giampaolo  
Public Finance Department  
Phone: 612-370-2933 or 800-950-4666

Credit River

3. The Town Clerk is hereby authorized and directed to deposit with the bank where said bonds are payable prior to said call date sufficient funds to pay all principal and interest due on the bonds as of the call date.

The motion for the adoption of the foregoing resolution was duly seconded by Leroy Schommer and upon a vote taken thereon, the following voted in favor thereof:

John Kane, Chairman  
Leroy Schommer, Supervisor  
Dan Casey, Supervisor

And the following voted against the same:

None

Whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA  
COUNTY OF SCOTT  
TOWN OF CREDIT RIVER

I, the undersigned, being the duly qualified and acting Town Clerk of the Town of Credit River, Scott County, Minnesota, DO HEREBY CERTIFY, that I have carefully compared the preceding extract of minutes of a meeting of the Town Board of said Township held on the date therein indicated with the original minutes thereof on file in my office and that the same is a full, true and correct transcript thereof insofar as said minutes relate to the topic described in the title of the resolution set forth in the extract.

WITNESS my hand officially and the official seal of the Township on August 28, 2002.

---

Jerald R. Maas  
Town Clerk

(SEAL)

## Other Business

- A. The Board also reminded Greg Halling that he was too have prepared a proposal for improving Westside Drive.
- B. Leroy Schommer made a motion directing Clerk Maas and Treasurer Dahl to send Scott County Highway Department a check from the Park Fund for \$10,000 representing our full contribution to the Clearly Park turn lane project. Dan Casey seconded the motion, all in favor, motion carried.
- C. Clerk Maas submitted a copy of the minutes from the July 23<sup>rd</sup> meeting at Cleary Park Dan Casey made a motion to accept, Leroy seconded, all in favor, motion carried 3-0.
- D. The Board directed Clerk Maas to contact Brian Trinkka regarding clarification of John Mesenbrink Letter of Credit amount for the South Passage project in that Mr. Mesenbrink had deducted the amount for the sewer portion in that it had yet to be approved and he felt it was not a part of the project as yet.
- E. The Board approved and signed the Developer's Agreement for Monterey Heights
- F. Mr. Roach submitted a draft copy of a proposed modification to the Township Road Ordinance covering the issue of Turn Lanes and By-Pass Lanes. The Board agreed to continue this discussion at the September 16<sup>th</sup> Board Meeting
- G. Clerk Maas presented the Board with a letter from Prior Lake with the proposed Fire Contract for 2003. The amount suggested is \$88,702.00, an increase of 15.8 % over 2002 rates. This increase is due to increased insurance costs and increased training requirements for the fire department.
- H. John Kane submitted a copy of the proposed ordinance for Winter Road Maintenance that was offered at the meeting of Township Officers in Farmington last week.
- I. Clerk Maas submitted a complaint from a resident in Scottview Estates on an extra driveway access. The Board directed Clerk Maas to draft a letter to the offending homeowner.
- J. Clerk Maas presented the Board with a letter from the Scott County Township Association with that group's by-laws attached. We are being asked to review this and offer any suggestions at the next meeting

## **Review and Pay Bills**

### **The Town Board approved the following bills for payment:**

8/13/2002	8666	Halling Engineering	Engineering-Development	\$	3,524.00
8/13/2002	8667	Prior Lake State Bank	Road Bonds (Prin + Int)	\$	32,370.91
8/13/2002	9668	Xcel Energy	Light Bill	\$	11.16
8/20/2002	8669	Prior Lake State Bank	Interest Bonds	\$	95.17
8/20/2002	8670	Reliant Energy	Gas Bill	\$	9.59
8/28/2002	8671	Prior Lake Sanitation	Trash Pickup	\$	27.44
8/28/2002	8672	Edward Kraemer & Sons	Lime	\$	105.34
8/28/2002	8673	City of Lakeville	Judicial Road Maint	\$	3,363.56
8/28/2002	8674	Genevieve Dahl	Services as Treasurer	\$	576.51
8/28/2002	8675	Dan Casey	Services as Supervisor	\$	405.40
8/28/2002	8676	John Kane	Services as Supervisor	\$	475.28
8/28/2002	8677	Leroy Schommer	Services as Supervisor	\$	277.05

8/28/2002	8678	Jerry Maas	Services as Clerk	\$	1,532.48
8/28/2002	8679	Scott County Highway Dept	Cleary Lake Turn Lane	\$	10,000.00
8/28/2002	8680	Greg Halling	Engineering	\$	11,704.45
8/28/2002	8681	PERA	Employee Benefits	\$	66.00

**Adjourn**

There being no further business before the Board, Dan Casey made a motion to adjourn the meeting, Leroy Schommer seconded, all in favor, motion carried 3-0. The meeting was adjourned at 10:20 pm.

Submitted By : \_\_\_\_\_  
 Jerald R Maas  
 Clerk  
 Credit River Township

Approved By : \_\_\_\_\_  
 John Kane  
 Chairman, Town Board  
 Credit River Township