

Credit River Township Meeting Minutes May 5, 2003

Call to Order

Chairman John Kane called the meeting to order at 7:06.

Members Present:

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

Minutes of the previous meeting:

Minutes of the April 7, 2003 meeting were read. Dan Casey made a motion to accept as read, Leroy Schommer seconded, all in favor, motion carried 3-0.

Minutes of the April 17, 2003 meeting of the Road Authority were read. A question was raised as a point in the notes regarding the comment that "there was general consensus that if the lake quality would not be compromised and if the costs could be reduced, that most would be in favor of the road being paved". The minutes were changed to reflect that there continued to be disagreement as to whether or not to pave the road.

Treasurers Report:

The Treasurer's report was read. Leroy Schommer moved to accept the Treasurers report as read, Dan Casey offered a second, all in favor, motion carried 3-0.

Agenda Items

Open Forum

1. Resident, Bryan Reichel asked what was being done about stoplights at the intersections of Highway 21 and Highway 91. Chairman Kane indicated at the design review meeting held recently at the Legends Club, that the Town Board's position is that they would like to see traffic lights at that intersection as well as the Judicial road intersection. He pointed out that the decision primarily rests with the County. Greg Halling re-iterated the point that gaps are more prevalent in a four-lane road and that he was certain that the County is expecting this to be the case once the highway is converted to a 4-Lane design. Mr. Halling also pointed out that it was his understanding that the electrical conduit necessary for the lights will be installed during construction to allow for future upgrades.

Mr. Reichel also expressed a concern for horse traffic in the Township and wondered what accommodations would be made to allow horses to cross Highway 21. Mr. Halling suggested that those with horses consider petitioning the county to give them some idea of the number of horses desiring to cross the roadway. Mr. Reichel asked if the Township would be interested in participating in the cost of the lights at that Intersection. It was Mr. Reichel's opinion that Mr. Kane had discussed that possibility with the county in the past. Mr. Kane emphatically denied that he had ever taken a position that would involve the Township participating in costs on county roads. Mr. Roach elaborated on the statutes prohibiting the Township from cost sharing on such projects without voter approval.

Sheriff's Report

A deputy from the sheriff's department dropped off a copy of the call activity in Credit River Township for the month of April, but was unable to present the information because of a call.

Agenda Item # 1 - Robin & Carol Kern – 170th Street – Request variance from setback requirement to allow replacement of a deck.

The Board reviewed the information prepared by Scott County on this proposal and indicated that they would be prepared to give a recommendation at the upcoming Board of Adjustment meeting on May 12th.

Agenda Item # 2 – William and Cynthia Check – request variance to reduce the permitted setback to the Ordinary High Water Level of Markley Lake from 150' to 75' to locate and install a replacement sewage treatment system.

The Board reviewed the information prepared by the county on this request and once again indicated that they would be in a position to offer a recommendation at the upcoming Board of Adjustment meeting on May 12th.

Agenda Item # 3 - Justin Saterbak – Request Board consideration for an Eagle Scout project

Justin Saterbak, resident of Country Court Addition, is seeking his Eagle Scout Award and needs to propose and oversee a project that will benefit a community or church. This project needs the approval of the Town Board as well as his Eagle Troop committee. The Board discussed several possibilities for projects, one of which would be a new information posting board outside the Town Hall. It was decided that the Board would review Township needs and discuss with and these discuss with Justin in the next few weeks.

At this time, the Board recessed the meeting and called for the opening of the bids for the re-construction of West Side Drive and Pebble Brook Court. The Township received 11 bids in all for this project.

Greg Halling was directed to open the bids, review them for completeness and compile a list for later consideration in the meeting.

The Board returned to the regular agenda items

Agenda Item # 4 - Doug Schoenecker – Scott County Soil and Water – Discuss inspection requirements for NPDES

In that the Township now must fulfill the requirements of NPDES Phase II and specifically insure that construction sites comply with the erosion and sediment control aspects of this law, we will be in need of inspection capability. Mr. Doug Schoenecker of the Scott County Soil and Water District gave a presentation outlining his organizations skills and willingness to serve the Township in this capacity.

The Board asked that Mr. Schoenecker go back to his management and ask them to prepare a formal proposal outlining exactly what services the District would provide and at what costs.

Agenda Item # 5 – Tim Gillette/Todd Schilling/Dennis Osegard – Request preliminary and final plat approval for Aspen Knolls – 4 lots on 21 acres on Dakota Ave.

Mr. Gillette presented the Board with a copy of the plat as proposed.

Several residents expressed a concern with the proximity of the proposed structures to the gas pipeline that runs through the property. There seemed to be some disagreement as to the setback distances required. Mr. Gillette indicated that he would investigate prior to going before the Planning Commission.

The wetlands associated with this property necessitate a specific driveway configuration. Greg Halling suggested that an escrow fund per lot be established to insure that the driveways are constructed to Township standards. We also need a temporary slope easement as a condition of approval.

A question was asked by one of the residents as to the right of the property owner to develop over the adjoining neighbors objections. Mr. Roach pointed out that the property owner has the right to develop if he follows the rules established by the prevailing zoning and land use ordinances.

Greg Halling asked a question as to how the engineering costs are to be recovered from the landowner. The board suggested that the developer establish an escrow account with the Township as any other developer.

The Board indicated that they would be in a position to offer a recommendation at the Planning Commission meeting on May 12th.

Agenda Item # 6 – Laurent Development - Request preliminary plat approval and conditional use permit approval for OSD development for The Territory

Gary Laurent, representing Laurent Development, discussed the issue previously raised regarding protection of the land areas where the septic systems are to be installed. He indicated his desire to keep a “natural look” to the area free of “chain link fences. It is their plan to use a combination of shrubs and fence to protect the septic sites. Greg Halling suggested a more durable protection plan around the eight (8) sand filters themselves. Greg suggested that this issue be addressed with the PCA.

Roger Anderson, engineer for Laurent Development, discussed some of the outstanding issues with the four bridge designs in the project. The signage question is still open.

Greg Halling also pointed out a remaining teardrop design on the western cul-de-sac south of County Road 8 that needs to be modified. Also need to look at a “T-turn-around” in the same area.

Greg also asked about the right of way widths in the cul-de-sacs where we’ve increased the width. Need to increase utility and drainage easements.

John Kane reminded the developers that it has been his experience that the barn and silos in particular could present some safety issues.

A question was also raised as to the need to maybe involve the Township in the taking a look at “community wells” as a part of this design.

Agenda Item # 7 – John/Marsha Fredrichs – Request the Town Board Re-consider the Decision not to Pave 170th Street.

Marsha Fredrichs asked for another public hearing on the 170th St paving project. She would like to ask that the Board consider alternatives whereby the cost could be reduced, that we call for road counts and ask County Natural Resource Director, Dawn Tracy to review the project. A question was asked as to whether or not another a public hearing was necessary and needed in view of the recent meetings and discussions that have taken place on this project. Dan Casey observed that a public hearing should be called if the review by Dawn Tracy and the road count would indicate new information that would prompt a public hearing.

Bob Horn mentioned that the people on the street continue to suffer from high traffic dust and erosion problems. If the road were not to be paved, he would like someone to fix his erosion problem.

Holly Jorgensen pointed out that all of these issues should have been discussed over the past 4 months. The Board voted not to pave the road in April. She pointed out that the majority of the residents on the street still don't want the road paved.

John Fredrichs asked if the previous vote stopped the project forever. John Roach pointed out that the Board is within their authority on their own to re-open the issue at any time and that the residents are at liberty to ask for a re-consideration at any time.

John Kane asked if there was interest in making a motion to hold another public hearing at which time the information from Dawn Tracy and new road counts would be available. He also indicated that perhaps a greater contribution by the Township might be possible. Dan Casey asked of a public hearing would be necessary. John Roach indicated a public hearing would be advisable.

John Kane made a motion to hold a Public Hearing on June 2. Leroy Schommer seconded. Dan Casey asked that John Kane amend his motion to add the requirement that the Town Board will not re-visit the issue for a period of six months. Mr. Kane amended the motion accordingly. Leroy Schommer seconded the amendment, all in favor, motion carried.

In the interests of clarity, Chairman Kane called for a vote on the main motion. All in favor, motion carried 3 - 0.

Other Business

Bids

The Board asked that Mr. Halling summarize his analysis of the bids offered previously in the meeting. Mr. Halling indicated that McNamara Construction is the low bidder with a total bid of \$209,780.00.

Leroy Schommer made a motion to award the bid to McNamara Construction. John Kane seconded. Mr. Kane called for a vote, motion carried 2-0 (Supervisor Casey abstained)

Rock Hauling Bids

The Township received bids from 2 companies, Malecha Trucking and Klingberg Trucking. Klingberg submitted the low bid at \$2.35/Ton. Leroy Schommer made a motion to award the rock-hauling bid to Klingberg Trucking, Dan Casey seconded, all in favor, motion carried 2 – 0.

Distribute Meeting Notes to Residents Committee

Clerk Jerry Maas asked if the Town Board would approve a proposal to provide the newly formed Resident's Committee with an informal copy of the meeting notes following each meeting. After discussing the proposal, it was the consensus of the Board that this could potentially be construed as providing a copy of "un-approved" minutes and would prefer not to accept this proposal at this time.

Road Grading (Blading) Bids

The Township has received a bid from Art Johnson Trucking for grading gravel roads at \$54/hour. Dan Casey made a motion to accept the bid for road grading bid at \$54/hr from Art Johnson Trucking, Leroy Schommer seconded. Chairman Kane called for a vote Motion carried 2-0 (John Kane abstained)

Safety Deposit Box

Treasurer Holly Batton pointed out that the previous treasurer had kept the Township CD's in her personal Safety Deposit Box. We now have a need for another box and she asked permission to apply for one that would be in the Township's name. Leroy Schommer made a motion to authorize a Safety Deposit Box. Dan Casey seconded, all in favor, motion carried 3-0.

Discuss Application for Deer Carcass pickup with Scott County

Clerk Jerry Maas presented a proposal received from Scott County suggesting a common contract for pickup of Deer Carcasses within the Township. The county was asking if the Township would be interested in participating and if so, a contract specifying costs would be drawn up. Leroy Schommer made a motion to inform Scott County that the Township would be interested in participating. Dan Casey offered a second, all in favor, motion carried 3-0. Clerk Maas will so inform the county.

Paul Trapp – lost lot marker in Creekwood Addition.

Clerk Maas stated that he had received a call from Mr. Trapp, a resident of Creekwood inquiring about the possibility that the lot marker for his property was dug up during the road re-construction 10-12 years ago. It was the general consensus that this was in all probability not the case in that the lot markers are positioned 33 feet off the center of the roadway and in fact the reconstruction should not have reached that far. It was suggested that the clerk Maas contact the property owner and suggest that the other lot marker be located and used as a reference to find the lost one.

Review and Pay Bills

The Town Board approved the following claims for payment:

4/10/2003	8919	Daniel Casey	Road Work	\$	272.43
4/10/2003	8920	Bryan Reichel	Service as Moderator Annual Meeting	\$	60.00
4/14/2003	8921	Halling Engineering	Engineering Fees	\$	12,260.00
4/22/2003	8922	Centerpoint Energy	Gas Bill	\$	57.88
4/22/2003	8923	Val Zweber	Service as Deputy Clerk	\$	96.00
4/22/2003	8924	Bridget Chard	Consulting SSD	\$	331.68
4/22/2003	8925	Goliath Hydro Vac	Culvert Work	\$	200.00
4/22/2003	8926	Murnane, Conlin, Et al	Attorney Fees	\$	2,057.44
4/22/2003	8927	Xcel Energy	Light Bill	\$	11.03

4/22/2003	8928	Road Machinery Service	Street Sweeper	\$	690.95
4/24/2003	8929	United States Treasurer	1st Qtr Taxes	\$	2,282.61
4/29/2003	8930	Unit States Post Office	Stamps/Office Supplies	\$	37.00
5/4/2003	8931	Art Johnson Trucking	Blading & Road Repair	\$	2,122.00
5/4/2003	8932	Minnesota Valley Electric	Electric Bill Acct 0410	\$	29.00
5/4/2003	8933	Integra Telecom	Phone Service/Install new Line	\$	106.77
5/4/2003	8934	ECM Publishing	Legal Lakeville	\$	302.00
5/4/2003	8935	Minnesota Valley Electric	Creekwood Well	\$	16.00
5/4/2003	8936	S John Roach & Associates	Legal-Laurent Development	\$	2,265.00
5/5/2003	8937	S John Roach & Associates	Legal- Township General	\$	247.00
5/5/2003	8938	Dennis Karow	Park Lawn Care	\$	905.25
5/5/2003	8939	Leroy Schommer	Road Repair- France Court	\$	304.64
5/5/2003	8940	Leroy Schommer	Service as Supervisor	\$	470.98
5/5/2003	8941	Doug Scheurenbrand	Road Work	\$	363.63
5/5/2003	8942	Dan Casey	Service as Supervisor	\$	360.16
5/5/2003	8943	John Kane	Service as Supervisor	\$	608.85
5/5/2003	8944	Holly Batton	Service as Treasurer	\$	563.33
5/5/2003	8945	Holly Batton	Expense Reimbursement	\$	64.25
5/6/2003	8946	Jerry Maas	Expense Reimbursement	\$	287.42
5/6/2003	8947	Jerry Maas	Service as Clerk	\$	2,539.62

Adjourn

There being no further business before the Town Board, Leroy Schommer made a motion to adjourn. Dan Casey seconded, all in favor, motion carried 3-0. The meeting was adjourned at 11:15 pm.

Submitted By: (s/) Jerald R. Maas

Township Clerk
Credit River Township

Approved By : (s/) John T. Kane

Chairman – Board of Supervisors
Credit River Township