

# **Credit River Township Meeting Minutes June 2, 2003**

## **Call to Order**

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

## **Members Present:**

John Kane, Leroy Schommer, Dan Casey

## **Others Present:**

Clerk Jerry Maas, Township Engineer Greg Halling, Township Attorney John Roach, Scott County Sheriff Dave Menden

## **Minutes of the previous meeting:**

Clerk Maas reported that he experienced a technical problem in preparing the May minutes for the meeting and will have to reconstruct the file for next month.

## **Treasurers Report:**

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

## **Agenda Items**

### **Sheriff's Report**

Sheriff Dave Menden presented a copy of the May report on call activity. Several citizens asked questions regarding the new conceal and carry gun law.

### **Open Forum**

Jeff Jones, resident of Scottview Estates, requested some assistance from the Township in performing some modifications to a drainage easement to facilitate mowing in Lot 4 Block 1 of Scottview Estates, 2<sup>nd</sup> Addition. In discussing the subject, it was agreed if the Township assisted in modifying the drainage that should any future maintenance were needed to clean the pond, the Township would not be responsible for any damage to area during the cleaning operations. Dan Casey made a motion to direct the Township Engineer to work with Mr. Jones to place rip-rap on the East side of the pond. Leroy Schommer seconded the motion, all in favor, motion carried 3-0.

### **Public Hearing – 170<sup>th</sup> St Paving Project**

Clerk Maas read the Public Hearing Notice that was published on May 17<sup>th</sup>, 2003.

Greg Halling presented engineering cost data that would indicate a reduction of approximately \$15,000 from the original cost of \$94,500. He commented that building a rain-garden could be accomplished quite easily.

John Kane reported that Robin Kern would be happy to work with the Township in building a rain garden to facilitate drainage. Leroy Schommer asked about replacing the culverts on the Forcier property. Greg Halling said that proposed curbing would negate the need for a culvert.

Chairman Kane called for public comment.

Gary Green asked why the meeting was called in that he thought it had been decided previously that the road would not be paved. John Kane responded that some residents requested a hearing and that some new cost estimates were available that would make the project more favorable to do at this time.

Donna Green mentioned that she was of the opinion that cost was not the factor and that ecological concerns were of major importance. She read excerpts from the letter received from Dawn Tracy, Natural Resources Director for Scott County about the recommendation that "ponding" is required. She wondered if the rain garden was considered "ponding". Mr. Halling indicated that it was not. Mrs. Green was of the opinion that the ecological concerns are still not addressed.

John Fredrichs expressed a thought that pointed out that the letter indicated whether paved or gravel, there would have little effect on the lake.

Dan Casey was asked to read a letter from the school bus company that indicated the bus company was in favor of paving to facilitate their picking up the children.

Leroy Schommer was asked to review the traffic counts. It indicated about 170 cars/day go through the area with 220 car/day entering on the east end of the roadway.

Robin Bradley pointed out that the bus company left it up to the child as to whether they should walk the road. She also observed that the bus drives too fast. It is her feeling that 30mph is too fast for this road.

Doug Drew, resident of 167<sup>th</sup> street, pointed out that the conclusions of Dawn Tracy's letter are that if the road is to be paved, the water needs to be treated.

John Kane noted that the cottonwood tree near the Forcier's is hanging over the road by a considerable amount and needs to be addressed. He offered to visit with the Forciers to discuss it.

Ray Huber asked if drain tile was needed in view of the sandy soil in the area. Greg Halling mentioned that they typically used it to keep water from getting trapped behind the curb. But it probably would not be needed in this project.

Bob Horn commented that rain causes erosion and he has a big problem with it.

Holly Jorgenson pointed out that it was her opinion that the Board has not proven paving to be feasible, cost effective or necessary. She further pointed out that the majority of the residents continue to be against the project and have not changed their viewpoint.

In view of the fact that no new information was forthcoming, Leroy Schommer made a motion to close the public hearing, Dan Casey seconded, all in favor, motion carried 3-0.

The Public Hearing was closed

John Kane made a motion to proceed forward with paving the road. No second was forthcoming. Chairman Kane once again called for a second, hearing none he called again for a second. Hearing none, the motion fails.

## **Agenda Item # 1 – Jerry Kastner – Discuss need for Township Road to access parcel of property off Judicial Road**

Mr. Kastner indicated he was interested in acquiring a parcel in Section 22 and wondered as to the possibility of building a town road in order to sub-divide this parcel into several

lots. After discussing the subject at length, the Town Board referred Mr. Kastner to the Scott County Planning Department to review his proposal.

## **Agenda Item # 2 – Ted Kowalski/Gary Tupy – Request preliminary plat approval for Harvest Hills development – 20 lots on 79.5 acres on Flag Trail and County Highway 8**

Because the Town Board has not determined an acreage rate for future developments as yet, it was agreed at the outset that the developer will contribute to the a fund on a per acre basis to recover the money the Township invested in the AUAR project to evaluate the development in Credit River.

The Board reviewed the lot fees (\$2200/lot for turn lanes) with Mr. Kowalski.

Greg Halling pointed out that we need to consider a “T-turnaround” for the road to the north. The road to the west will be a cull-d-sac, and the intersection needs to be re-aligned to meet Township standards.

It will also be necessary to meet with the Scott County Highway Department to discuss needs for a bypass lane and turn lane.

It was also noted that the Township Engineer would be responsible needs to prepare the final plans and specs for the road construction.

John Kane made a motion, (with the conditions described above) that in the absence of any additional information to the contrary, we approve the project at the County Planning meeting, Dan Casey seconded, all in favor, motion carried.

The Board made no formal recommendation at this time but will be prepared to make a recommendation at the Planning Commission meeting.

Note: We also have a fee of \$500 / lot for lots that do not tie on to Township roads (14 lots) and \$1000/lot for those that tie on to an existing Township Road that meets Township standards (6 lots). This would amount to an additional Township lot fee of \$10,000.00

## **Agenda Item # 3 - Discuss Soil/Water proposal for Construction Site Inspections**

The new NPDES requirement for construction site inspection will require fees from the homebuilder to fulfill this requirement. Leroy Schommer made a motion to increase the new home building permit fee by \$2200. Of this amount, \$200.00 will be charged by the township to cover administrative fees and \$2000 will be for an escrow account to be charged for the inspections and/or repair work required in the case of non-compliance. At the end of the project, the balance to be refunded to the remitter. Dan Casey seconded this motion, all in favor, motion carried 3 - 0.

## **Agenda Item # 4 - Clem Mares – Discuss requirements of Developers Agreement for Harvest Ridge**

Clem Mares, resident of Harvest Ridge, is requesting re-consideration of the requirement in the original developer's agreement for this project to remove his house from the project at the time of his death. Mr. Mares felt that the general condition of the home warranted it's continued use and occupancy. It was Dan Casey's opinion that the issue is not the condition of the house, but the placement of the home on the property is no longer proper in relation to current county standards for setbacks.

The Board suggested that Mr. Mares go to the County Planning Department and request an application for a variance. The Town Board would consider Mr. Mares request formally at that time.

## **Other Business**

### **Attorney Roach raised an issue on providing a formal letter stating the Townships positions on Trails.**

The Board directed Mr. Roach to draft a letter stating that the Board is in favor of a regional trail system with the condition that winter maintenance not be included.

### **Cleary Lake Stormwater Pond Violation**

Engineer Halling has drafted a letter on a violation in Cleary Lake Estates directing the owners of the property to correct the problem. The Board directed Clerk Maas to send out this letter to the property owners.

### **Cedarwood Estates Development**

The Board noted that the deadline for making the corrections as directed in an earlier letter was fast approaching and directed Clerk Maas to send another letter to Mr. Klotz asking that he contact the Township Engineer immediately and get the required work done immediately.

### **Approve Invoice for Additional Charges – AUAR**

Scott County has informed the Township that additional charges in the approximate amount of \$500.00 have been incurred in connection with the AUAR study recently conducted for Credit River and they are requesting that the Township pay these charges. Leroy Schommer made motion to approve overrun on AUAR, Dan Casey seconded, all in favor, motion carried 3 - 0.

### **Budget for Residents Committee**

The Board felt that it was premature to consider reimbursement to the committee at this time.

### **Discuss “Paragraph 7” on Territory Memo from Scott County**

The County has developed a memo specifying certain conditions that must be met in order to approve the preliminary plat for the Territory. Paragraph 7 of this document refers to certain items that the Township must approve such as bridge design, driveway and culvert installations, landscaping, etc. Greg Halling has been in contact with Anderson Engineering on these items and it is necessary for the Township to finalize their concerns in a letter to the county. John Kane and Jerry Maas will meet with Greg Halling to compose this letter in the next 10 days.

### **Discuss Highway 75 turn back want list**

Continued to next meeting.

## Review and Pay Bills

The Town Board approved the following claims:

5/13/2003	8948	Centerpoint Energy	Heating	\$	45.12
5/13/2003	8948A	Prior Lake State Bank	Safe Deposit Box Rent	\$	20.00
5/15/2003	8948B	Prior Lake State Bank	Check Endorsement Stamp	\$	28.06
5/13/2003	8949	SW Suburban Publishing	Legal Advertising	\$	502.47
5/13/2003	8950	LaCanne Paving	Repair 207th St	\$	1,058.86
5/13/2003	8951	Bridget Chard	Consulting SSD	\$	180.00
5/13/2003	8952	Ed Kraemer & Sons	Rock/Gravel	\$	692.39
6/2/2003	8953	Integra	Phone Service/Install new Line	\$	106.26
5/15/2003	8954	Halling Engineering	April Statement	\$	16,360.15
6/2/2003	8955	Kevin Custer	Beaver Trapping	\$	155.00
6/2/2003	8956	S John Roach & Associates	Legal Work-Territory	\$	900.00
6/2/2003	8957	S John Roach & Associates	Legal Work-Township Gen'l	\$	788.50
6/2/2003	8958	Northstar Marketing	Office Supplies	\$	123.50
6/2/2003	8959	Leroy Schommer	Services as Supervisor	\$	393.41
6/2/2003	8960	John Kane	Services as Supervisor	\$	494.07
6/2/2003	8961	John Kane	Reimburse Mailbox Post	\$	13.73
6/2/2003	8962	Holly Batton	Services as Treasurer	\$	655.68
6/2/2003	8963	Holly Batton	Office Supplies	\$	17.00
6/2/2003	8964	Dan Casey	Services as Supervisor	\$	360.16
6/2/2003	8965	Jerry Maas	Services as Clerk	\$	2,539.62
6/3/2003	8966	Dennis Karow Lawncare	May Statement	\$	873.30

## Adjourn

There being no further business before the Town Board, Dan Casey made a motion to adjourn. Leroy Schommer seconded, all in favor, motion carried 3-0. The meeting adjourned at 11:40 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