

Credit River Township Meeting Minutes June 7, 2004

Call to Order

Chairman Dan Casey called the meeting to order at 7:03.

Members Present:

Dan Casey, Leroy Schommer, Bruce Nilsen

Others Present:

Clerk Jerry Maas, Treasurer Holly Batton, Township Engineer Greg Halling, Township Attorney Bob Ruppe

Minutes of the previous meeting:

Minutes of the May 5th Meeting were read. Bruce Nilsen moved to accept the minutes as read, Leroy Schommer offered a second. Motion carried 3 – 0.

Treasurers Report:

The Treasurer's report was read.

Leroy Schommer moved to accept the Treasurer's report as read, Bruce Nilsen offered a second, all in favor, motion carried 3-0.

Agenda Items

Sheriff's Report

Scott County Deputy Vendel presented a copy of the monthly report for May.

A resident noted that speeding continues to be a problem on her street. Deputy Vendel encouraged residents to call with complaints.

Resident's Group Report

Pat Strahan reported that there was a meeting of the Citizen Advisory Group on May 18th. She mentioned that Dave Unmacht made a presentation at that meeting that was very informative about the work being done at the county and his thoughts on the group.

The county will assist the group with a "software" package to enhance the resident survey being planned by the group.

Open Forum

1. Bob Horn, a resident of 170th Street, asked about dust coating status. Dan Casey indicated that treatment would be applied in the next few weeks. The frequency will depend on the amount of rain we get. He noted that there is a residual effect that occurs from year to year.
2. Mark Robin & Mike Marxen, residents of Murphy Lake Blvd., asked about proposed road changes to County Road 75. They had some ideas, among them being a private maintenance agreement. Dan Casey indicated that the county is planning a meeting for all residents of Murphy Lake Blvd (County Road 75) to review alternatives. Dan also noted that the county plans to completely dust coat the road very shortly.

Agenda Item # 1 – John Mesenbrink – Eagle Creek Development Corp. – Request recommendation for Re-Zoning and Preliminary Plat for South Passage II.

John Mesenbrink of Eagle Creek Development appeared before the board to request a recommendation for Re-Zoning 40 acres located in Section 34 from RR-1, Rural Residential Reserve to RR1-C, Rural Residential Reserve Cluster, and also to approve a Preliminary Plat for 5 lots and 2 outlots on the same 40 acres.

The board discussed several issues relating to roads relative to the project. Attorney Bob Ruppe suggested that Mr. Halling work with Eagle Creek on a “Grading Agreement” to be approved by the county and township. In addition, a security deposit for the grading might be in order.

Greg Halling asked about the need to acquire some road right-of-way and also the need to install a turn lane off of County Road 8 at the intersection of Wagonwheel. It would be his thought to use the township turn lane funds established for this purpose.

Mr. Halling also questioned the need for easements from the adjacent property owner, Mr. And Mrs. Gallagher.

It was also noted that the Township needs to work with the county highway department to preserve right of way for the extension of France Blvd.

Leroy Schommer moved to approve a recommendation, Bruce Nilsen seconded, all in favor, motion carried 3 - 0

Agenda Item # 2 – Paul Heuer – Laurent Development – Request Recommendation for Final Plat Approval for The Territory 2nd Addition

Paul Heuer, Vice President of Laurent Development presented a request for approval of the second phase of The Territory project, which consists of 32 additional homesites. This follows Phase I, which was for 30 homes.

After reviewing Mr. Heuer’s proposal, Dan Casey moved to approve the recommendation, Leroy Schommer seconded, all in favor, motion carried.

Agenda Item # 3 – Discuss Resolution to convey 2 parcels in Valley Oaks to the Township for Public Use.

It has been recently brought to the Township’s attention, that two parcels located in the Valley Oaks addition have been on the tax forfeiture list due to an administrative error several years ago. This property is being offered to the Township to be used for a public purpose.

Bruce Nilsen presented the following resolution and moved for its adoption:

**TOWN OF CREDIT RIVER
SCOTT COUNTY, MINNESOTA
RESOLUTION NO. 2004-07**

**RESOLUTION APPROVING THE ACQUISITION OF OUTLOTS
D AND E OF THE PLAT OF VALLEY OAKS FOR PUBLIC USE**

WHEREAS, Outlots D and E of the Plat of Valley Oaks as recorded in the Office of the Scott County Recorder, parcels 04-023044-0 and 04-023045-0, (hereinafter “Subject Property”) are located in Credit River Township, Scott County, Minnesota;

WHEREAS, the subject property was originally intended to be dedicated as part of the Final Plat of Valley Oaks to the Township for public use for drainage and public trail purposes;

WHEREAS, the dedication of the subject property to the Township for public purposes was inadvertently omitted from the Final Plat of Valley Oaks which resulted in the parcels being placed on the tax rolls;

WHEREAS, the Subject Property were forfeited to the State of Minnesota on November 7, 1995 for non-payment of property taxes;

WHEREAS, the Scott County Auditor's Department only recently discovered that the Subject Property was inadvertently omitted from being dedicated to Credit River Township for the use of the public in the Final Plat of Valley Oaks;

WHEREAS, the Township desires that the Subject Property be used for the public purpose of drainage and public trails as originally intended by the Scott County Board when they approved the Final Plat of Valley Oaks and potentially for a park or other recreation area; and

WHEREAS, the Scott County Auditor has informed the Township that the Subject Property could be acquired by the Township for a specified public use upon the payment of certain fees associated with the Subject Property.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF CREDIT RIVER TOWNSHIP, SCOTT COUNTY, MINNESOTA:

1. Credit River Township wishes to acquire the subject property with said lands to be used for public purposes;
2. The Town Board hereby authorizes the Town Treasurer, Town Clerk and The Town Chair to execute the necessary documents to acquire the Subject Property by the Township for the intended public purposes.

Passed this 7th day of June, 2004.

Dan Casey, Chairman

Jerry Maas, Clerk

Leroy Schommer seconded, all in favor, motion carried 3 – 0.

Agenda Item # 4 – Street Sweeping and Cleaning

Dan Casey noted that this year we've had considerable misunderstanding regarding the level of street cleaning service that the Township would provide. Leroy Schommer discussed the historical fact that in some years we've swept all the streets in the township and in other years we've swept those in need.

This year, the board opted not to sweep in view of the high level of rainfall we've experienced.

It was further noted that in new developments, the developers have a requirement to keep the streets clean during the construction process and after the development is complete, they must warranty all aspects of the construction for a period of two years following acceptance of the street by the township. Greg Halling is of the opinion that this would include street cleaning in view of the impact on storm sewers in the project.

It was determined that a written policy might be in order and the board directed clerk Maas to submit a proposal at the next meeting.

Agenda Item # 5 – Discuss relationship of Township Engineer with Township and Developers

A number of residents have raised questions as to the appropriateness of the fact that the Township Engineer, Greg Halling works for the Township and at the same time appears to be working for the developers in performing the design functions on developments. This appears to be a conflict of interest.

It was pointed out that Mr. Halling receives payment from the Township for the work he performs. The township actually bills the developers. One advantage of this system is that the township receives consistent engineering design work from project to project and in fact the engineering work is done to Township specifications.

Bob Masters, a resident of Dakota Ave, asked if there was a specific reason for this issue has been raised. It was noted that the residents had not been aware of this relationship until recently and it was particularly being observed among members of the Citizen Advisory Group.

It was suggested that Bruce Nilsen make a presentation to the Citizen's Advisory Group on the topic.

Agenda Item # 6 – Discuss Local Government Unit (LGU) Appointment for local watershed management

Dan Casey read a document outlining duties of the LGU. It was noted that Credit River Township took responsibility for management of local water issues in 1991. It is his feeling that one of the supervisors should assume the role and he made a motion that Leroy Schommer assume the responsibility

Dan noted that the LGU could use various resources such as Greg Halling, Pete Beckius of Scott Soil and Water and/or John Kane, who formerly undertook the responsibility.

Bruce Nilsen seconded the motion, all in favor, motion carried 3 – 0.

Agenda Item # 7 - Other Business

- 1) Signs for Horses on Natchez Ave.

When Natchez Avenue was re-surfaced, the road alignment was shifted slightly to the East to allow a path for horse traffic on the west side of the road. It is felt that signs directing the horse traffic to the proper side would be in order. Engineer Halling will see that these are installed.

- 2) Driveway issue on 2850 Prairie Hills Drive

Greg Halling wrote a letter to these property owners noting the Wetland Conservation Act and the fact that the driveway was not properly installed. He suggested that the Township might want to modify our current driveway ordinance to include wetland impacts.

- 3) Dumping ordinance

There was a discussion of ongoing problems with dumping garbage on township roads. Attorney Bob Ruppe suggested a township ordinance might be in order to institute some penalties for this practice.

- 4) Township Road Right of Way Ordinance

Mr. Ruppe also pointed out that we might also want to consider an ordinance to protect the Township road right of way.

Review and Pay Bills

The Town Board approved the following claims for payment:

5/10/2004	2030	Halling Engineering	Engineering Work	\$	50,693.32
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6/7/2004	2031	Anchor Bank	Tax Deposits	\$	913.44
6/7/2004	2032	Holly Batton	Hall Supplies	\$	23.98
6/7/2004	2033	Halling Engineering	Engineering Work	\$	27,553.57
6/7/2004	2034	MAT Agency	E and O Liability Insurance 2004	\$	750.00
6/7/2004	2035	Glen Klotz	Culvert Deposit Refund	\$	300.00
6/7/2004	2036	Stonebridge Homes	Culvert Deposit Refund	\$	1,800.00
6/7/2004	2037	Ratzlaff Homes	Culvert Deposit Refund	\$	600.00
6/7/2004	2038	Wayne Miller Construction	Culvert Deposit Refund	\$	600.00
6/7/2004	2039	Scott County Assessor	2004 Assessor Fees	\$	17,000.00
6/7/2004	2040	Scott County Assessor	Special Assessment	\$	3.00
6/7/2004	2041	X-Cel Energy	St. Francis Street Light	\$	11.10
6/7/2004	2042	ECM Publishers	Legal Advertising-Lakeville	\$	59.81
6/7/2004	2043	Southwest Suburban Publishing	Legal Advertising-Prior Lake	\$	168.26
6/7/2004	2044	CenterPoint Energy	Town Hall Gas Bill	\$	43.80
6/7/2004	2045	Scott County Association of Townships	Dues 10/3 - 9/04	\$	917.40
6/7/2004	2046	Klingberg Trucking	Rock Hauling	\$	3,510.40
6/7/2004	2047	Art Johnson Trucking	Road Grading	\$	4,675.78
6/7/2004	2048	Leroy Schommer	Burning Permit--Park Wastes	\$	25.00
6/7/2004	2049	Jerry Maas	Expenses	\$	290.10
6/7/2004	2050	Minnesota Valley Electric	Town Hall Electric Bill	\$	31.00
6/7/2004	2051	Southwest Suburban Publishing	Legal Advertising-Prior Lake	\$	300.72
6/7/2004	2052	ECM Publishing	Legal Advertising-Lakeville	\$	297.90
6/7/2004	2053	City of Prior Lake	2nd Half Fire Contract	\$	48,831.50
6/7/2004	2054	Mike Marxen	Garbage Pickup-Lynn Court	\$	150.00
6/7/2004	2055	Jerald R Maas	Services as Clerk	\$	2,539.62
6/7/2004	2056	Bruce Nilsen	Services as Supervisor	\$	507.92
6/7/2004	2057	Leroy Schommer	Services as Supervisor	\$	674.15
6/7/2004	2058	Holly Batton	Service as Treasurer	\$	978.91
6/7/2004	2059	Dan Casey	Services as Supervisor	\$	443.28
6/7/2004	2060	MAT Agency	Property/Liability Insurance	\$	1,320.00
6/7/2004	2061	Scott County Treasurer	Property Acquisition Fees	\$	176.65
6/7/2004	2062	Dennis Karow	Lawn Maintenance	\$	1,091.63

Adjourn

There being no further business before the Town Board, Leroy Schommer made a motion to adjourn, Bruce Nilsen offered a second, all in favor, motion carried 3-0. The meeting adjourned at 10:40 pm.

Submitted By: (s/) Jerald R. Maas

Approved By : (s/) Dan Casey

Township Clerk
Credit River Township

Chairman – Board of Supervisors
Credit River Township