

# Credit River Township Meeting Minutes February 7, 2005

## Call to Order

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

## Members Present:

Supervisors Chairman Dan Casey, Supervisor Bruce Nilsen

## Members Absent:

Supervisor Leroy Schommer

## Others Present:

Clerk Jerry Maas, Treasurer Holly Batton, Township Attorney Bob Ruppe, Township Engineer Jeff Elliott

## Minutes of the previous meeting:

Chairman Casey called for a motion to accept the minutes from the January 3, 2005 meeting.

Supervisor Bruce Nilsen made this motion. Chairman Dan Casey offered a second, all in favor, motion carried 2 – 0. One absent.

## Treasurers Report:

The Treasurer's report was submitted. Chairman Dan Casey made a motion to accept as presented. Supervisor Bruce Nilsen offered a second. All in favor, motion carried 2 – 0. One absent.

## Agenda Items

### Sheriff's Report

Deputy Brian Cade appeared to present the report for the month of January. He reported that there were 98 calls for the month. One (1) fatal accident, seven (7) security false alarms, six (6) medicals and one (1) burglary,

Resident Al Aspengren asked Deputy Cade if the Sheriff's Department had adequate staff to provide service to Credit River. Deputy Cade indicated it was his opinion that they did.

### Resident's Group Report

Jim Kohout representing the Citizens Advisory Group (CAG) noted that the survey is out now on the Scott County website. He encouraged everyone to respond.

He mentioned that some of the Grey Fox Estate people expressed a concern that they didn't have a park within their development and felt that these ought to be included in future developments.

The next meeting of the CAG is scheduled for 2/22/05.

### Open Forum

- 1) Resident Al Aspengren asked about the time required to complete the snow plowing task within the township. It was his opinion that it took too long to handle the last snowfall. He also wanted to know if markers (poles) could be placed in the yards to identify lot property boundaries to prevent sod from being damaged.

Chairman Dan Casey said that it typically takes 12 -14 hours to completely plow all of the Township roads. He also noted that markers cause damage to snowplow tires when they get sheared off and that the Township would prefer that residents not use them. He also noted that the Township right of way actually transcends several feet from the edge of the pavement and technically residents ought not to place obstacles in this path.

With regard to the last snowfall, Clerk Jerry Maas noted that some extenuating circumstances caused delays. Initially, strong winds prevented the plow operators from getting started and once they were able to begin, they experienced some equipment breakdowns.

### **Agenda Item # 1 – Ted Kowalski – On Site Marketing – Request recommendation for Preliminary Plat approval for Cress View (formerly Meadow Cress) - 44 lots on approximately 172 acres**

Ted Kowalski from On Site Marketing appeared to present their plans for the Cress View development. Preparatory to this meeting, On Site Marketing had mailed out notices to many of the adjacent property owners and he welcomed those who were in attendance.

The project calls for 44 lots and 2 outlots on approximately 172 acres. They expect the homes to be “high end” from a price standpoint. The lots will each have an individual septic system (ISTS) with an individual well for water.

In that “flood plains” were noted in the proposal, resident Rosemary Arndt asked about water management issues in the project. The developer’s engineer, Greg Halling, explained technically how the project avoids impacts on the flood plains.

Resident Al Aspengren asked about Mr. Kowalski’s experience in development and what value homes were being proposed. Mr. Kowalski felt that the home prices will be in the million dollar range. Plans call for the lots to be priced from \$250,000 to \$325,000. As for development experience, Mr. Kowalski indicated they have previously developed the Harvest Ridge project, are currently developing Harvest Hills and that they have also done a number of projects in New Market and Cedar Lake Townships.

The builder list has not been established as yet.

Resident Dallas Blakeborough asked about road design. Greg Halling indicated that the project called for curb and gutter design with storm sewers on the interior roads with infiltration ponds to collect storm water.

Resident Al Aspengren noted that it was his feelings that the exit point on Highway 68 was a potential problem because of the curve and wondered if anything could be done about this. Mr. Kowalski indicated that they had worked extensively with the county engineers on this and that the design falls within sightline requirements.

Resident Matt Zweber asked how many cars travel Highway 68 on a daily basis. Mr. Kowalski stated that he did not have that information, but did note that it was his feeling that the new design at 190<sup>th</sup> street will be much better than what exists today.

Ernie Peacock, representing Don Loehr who is developing the adjacent property noted that they have some issues with the amount of traffic going north out of Cress View through the Loehr development. Chairman Dan Casey asked if Mr. Loehr had received the copy of the Township Road Ordinance that specifies developments within the Township need to be connected for safety and traffic flow reasons.

Mr. Peacock noted that they are not opposed to the connection of the developments, but would like to come up with a method to minimize traffic.

Engineer Jeff Elliott noted that he has made some suggestions regarding the traffic layout, but that basically he is recommending approval of the Preliminary Plat.

Chairman Dan Casey noted that the Town Hall loses an access to Highway 68, but that

the ultimate connection to highway 68 via 190<sup>th</sup> Street will be safer.

Dan also asked about the proposed effect of stormwater runoff that might result if the Town Hall lot is paved in connection with this project. Developer's Engineer Greg Halling indicated that they are looking at this.

Mr. Kowalski indicated that they have some plans to improve the appearance of the street intersection of Highway 68 and 190<sup>th</sup> Street. It is their desire to make this the entrance to their project.

Chairman Dan Casey asked if Engineer Jeff Elliott had a chance to review the tile lines to the west> Mr. Elliott indicated that he had not had a chance to look at this yet. Dan questioned whether there should there be a pipe or a ditch? Greg Halling noted that when the land to the west is developed, the problem would be negated.

Developer's Engineer Greg Halling noted that Pete Beckius from Scott Soil and Water felt that the project meets requirements from a wetland standpoint.

Chairman Dan Casey asked about the abandoned railway roadbed. Mr. Kowalski indicated that he is working with Jake Enebak from Tradition Development and that it does not appear to be an issue.

Mr. Peacock noted that they would be opposed to the right in right out connection at 185<sup>th</sup> street.

Dallas Blakeborough was felt that a culvert will be required under Highway 68 and was concerned about the location of that ditch. The Developer's Engineer Greg Halling noted that they would be looking into the issue.

The Town Board made no recommendation at this meeting in that Chairman Dan Casey is recusing himself because of potential conflict of interest questions. The issue was tabled until the February 14<sup>th</sup> Planning Commission meeting at the Government Center. The Town Board noted the following conditions to the anticipated recommendation:

- a) That a developers agreement will be required
- b) That comments will be supplied by the Township Engineer that will need to be addressed
- c) That comments will be supplied by the Township Planning Advisor that will need to be addressed
- d) That requirements of the Scott Soil and Water will need to be addressed

## **Agenda Item # 2 – Bridget Chard – CSTS Consultant**

Consultant Bridget Chard has been assisting the Township in preparing Request for Qualification documents in preparation for final selection of a Township Engineering firms. She discussed the protocol to be used for processing the responses we have received.

The Township sent out 18 requests with and received 6 responses. Ms. Chard will review and report back next month. She noted that the Board should review the packages presented and then we will set up interviews of approximately 40 minutes each. In that the Board has not had opportunity to review the materials as yet, it was suggested that Ms. Chard supply her comments and that the Town Board would set up for oral interviews sometime after the regular March Board meeting

Ms. Chard also presented some information that indicated the Township needed to establish an Enterprise Fund for the Subordinate Service District based on the cash flow analysis and MOM breakdown which was done at the December Rate Hearing. Her initial findings were that we would be running a bit behind due to delays in setting up the accounts and billing system and we would need to decide on how to catch up on the one-two month delay in cash flow returns from billing. Recommendation was made to work with the Treasurer to remedy the situation.

## Open Requirements for Monterey Heights / South Passage SSD

- a) We need to formally take ownership of the system via a resolution. Engineer Jeff Elliott and Service Provider Ryan Brandt need to perform a final inspection and we need to adopt a resolution, preferably at the next meeting to accept the system.
- b) In the future, the developer will be expected to fund the startup charges to establish a positive balance at the outset. Recommendation for the escrow and/or fund would be based on the CFA and Capital costs for the wastewater treatment system as well as the MOM costs to run the system or systems.
- c) We need to set up a formal Pumping Contract Consultanat, Engineer and SAervice Provider to offer to draft proposal for Board to consider.
- d) We need a Position Description for an Administrator Consultant will begin work on a general description with the help of the Engineer, Attorney, and Service Provider
- e) We need to prepare an Operation Plan for Scott County Environmental Health Department.

## Standards for SSD Plans and Specs

- f) Proposing to establish standards for installation of the individual pre-treatment. These are the standards for the STEP system (homeowners portion) of the CSTS systems. The board reviewed them and agreed with the current standards which are currently in the builders packets.
- g) The Staff recommended that they now move forward and provide standards and recommendations foir the CSTS systems that are built in the Township. The Staff are to move forward with the above recommendations.

Chairman Dan Casey moved to authorize, Supervisor Bruce Nilsen seconded. All in Favor. 2 – 0. One absent.

## **Agenda Item # 3 – Discuss Possible Ordinance for Door to Door Soliciting**

Attorney Ruppe pointed out that we will need an application form and a procedure to implement a licensing system. Resident Rob Casey asked how many cities already have such an ordinance since it was his feeling that we didn't need one in Credit River.

After considerable discussion, the Board decided to add this topic to the agenda for the March meeting. It was also suggested that the Citizen's Advisory Group discuss it at their February meeting.

## **Agenda Item # 4 – Discuss Formal Request by Eagle Creek Development to Accept Road in Stoneridge Development**

John Mesenbrink, Developer of the Stoneridge Project has requested that the Township formally accept by resolution the road in the Stoneridge development.

The board noted that several requirements must be met before this can happen, among them being the special requirement on this project that the road go through 2 frost cycles. It must also have the final lift applied, have the required signage installed and be inspected by the Township Engineer. They also asked that when these requirements are met, Mr. Mesenbrink make his request in writing. The policy of not plowing this road until accepted will continue,

## **Agenda Item # 5 – Other Business**

- 1) NAC Engagement

Planner Bob Kirmis outlined his ideas on services his firm (NAC) would be willing to provide to the Township.

Attorney Bob Ruppe suggested Planner Bob Kirmis immediately begin to attend all future Development Review Team meetings and that he be at all future Township Board meetings when planning items are scheduled. It was also suggested that he participate in reviewing all future Developer's Agreements.

It was also decided that this item will be discussed further at the March meeting.

2) Discuss Engineering Assignments

Clerk Jerry Maas presented a list of projects that he and Engineer Jeff Elliott had developed. The board was in agreement with these projects as they were described.

3) Rate for Wetland Building Permit Review

Scott County has recently implemented a procedure requiring the LGU to sign off on all building permits indicating that the survey for the homesite had been reviewed and that there are no wetland impacts.

The board decided to assign the responsibility to review all building permits to the Township Engineer with the requirement that he look at the road access and the wetland impacts in addition to the septic tank sizing and placement of CSTS requests.

In order to fulfill the requirement of the LGU signing the permit, Supervisor Bruce Nilsen made a motion to appoint Engineer Jeff Elliott the assistant LGU for the township. Chairman Dan Casey offered a second, motion carried 2 – 0. One absent.

The fee for this service would be included in that charged by the township engineer for general review of the entire project.

4) Approve Scott Soil and Water Contract for 2005

Clerk Jerry Maas presented a new revised contract from the Scott Soil and Water Conservation District to perform Sediment and Erosion inspections for 2005.

Supervisor Bruce Nilsen made a motion to approve this contract subject to a review by the township attorney. Chairman Dan Casey offered a second, all in favor, motion carried 2 – 0. One absent.

5) Approve Letter of Engagement for Eide Bailly for 2004 Audit

Clerk Jerry Maas presented a copy of a letter of engagement from the auditor, Eide Bailly to perform the year-end audit work required by the state. Supervisor Bruce Nilsen made a motion to sign this agreement subject to review by the Township Attorney. Chairman Dan Casey offered a second, all in favor, motion carried 2 – 0. One absent.

6) Discuss Hakanson-Anderson Water Proposal

At a meeting with Savage held a couple of weeks ago, it was noted that water supply was a very serious problem for all of the communities in Scott County. At that time, Engineer Jeff Elliott was asked to prepare a proposal from his firm to conduct an analysis of the water supplies in Credit River Township along with potential solutions to this impending problem. Mr. Elliott presented the results of that study to the board.

It was decided that the board would review this proposal and be prepared to discuss at the March Meeting.

In preparation for that discussion, the board asked Engineer Jeff Elliott to search for restrictions on well drilling in Credit River Township and also to investigate the process for obtaining a permit.

7) Status of Road Ordinance

Attorney Bob Ruppe noted that the Road Ordinance is complete and only needs to be formally published to take effect. Mr. Ruppe will email a copy of this ordinance to Clerk Jerry Maas who will arrange for its publication.

Engineer Jeff Elliott was asked to review the road standards to insure that these are those which we wish to adopt. Dan Casey made a motion to adopt the road standards pending a review by Engineer Jeff Elliott. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 2 – 0. One absent.

8) Set date for Board of Audit

The board asked Attorney Bob Ruppe to review the requirements for setting a date for this meeting and to get back to Clerk Maas with a recommendation.

9) TKDA Proposal for a new Town Hall.

Treasurer Holly Batton noted that the residents at the last annual meeting had approved an expenditure of \$5000 to conduct a feasibility study for a new Township Hall. She presented a proposal developed by TKDA for this project.

The board indicated they would review the proposal and discuss at the March meeting.

10) Date for Board of Review – 4/28/05 at 3:00 pm

Clerk Jerry Maas indicated that he had been in touch with the County Assessor's office and they have tentatively set a date of April 28, 2004 at 3:00 pm for the Annual Board of Review. Supervisor Bruce Nilsen has attended the necessary training recently mandated by the state auditor's office.

11) Meeting with PL on 2/16 to discuss Fire Contract

Clerk Jerry Maas noted that he and Supervisor Bruce Nilsen were scheduled to meet with the Prior Lake staff on February 16<sup>th</sup> to discuss the annual Fire Contract, a copy of which we had just recently received. Representatives from Spring Lake Township will also be in attendance.

12) Discuss County Seal Coat Proposal

The township has just recently received a proposal from Scott County to participate in a joint seal coating project. The board has until March 1<sup>st</sup> to respond if interested.

13) Approve Park Maintenance Contract for 2005 - Denny Karow

Clerk Jerry Maas presented a proposal from Dennis Karow to once again perform lawn cutting services in the four (4) township parks this summer. There was no change in the rates charged last year. Supervisor Bruce Nilsen made a motion to accept the proposal, Chairman Dan Casey offered a second, all in favor, motion carried 2 – 0. One absent.

14) Discuss Braun Intertec Report

Braun Intertec has prepared an initial study of Longview Lane in the Blichfeldt Addition. The results are inconclusive pending further tests in the spring. With this in mind, the board tabled the issue until additional tests can be performed.

15) Discuss Condition of Roads in the Territory.

Supervisor Bruce Nilsen noted that in his weekly tour of Township roads, he noted that those in the Territory were covered with thick layers of mud. He noted that rock entryways in the driveways were virtually non-existent.

Clerk Jerry Mass will call Scott Soil representative Doug Schonecker to find out what can be done to get this resolved.

## 16) Drainage and Utility Easements in Stonebridge

Due to the re-platting of this project it will be necessary to revise the drainage and utility easements. Attorney Bob Ruppe will email me copies of the revised documents

Supervisor Bruce Nilsen moved that we adopt a resolution accepting these revisions contingent on our receipt of the petition and waiver and also upon the revised plat showing the new easements as specified by the township engineer being filed with the county. Chairman Dan Casey offered a second, all in favor, motion carried 2 – 0. One absent.

## Review and Pay Bills

The Town Board approved the following claims for payment:

1/11/2005	2350	New Market Bank	Payment on West Side Loan	\$	24,418.07
1/11/2005	2351	Void		\$	-
1/11/2005	2352	Minnesota Valley Electric	Joint Lift Station	\$	33.71
1/11/2005	2353	City of Prior Lake	1/2 Annual Fire Contract	\$	58,379.50
1/11/2005	2354	Northwest Assoc Consultants	Planning Work	\$	449.45
1/11/2005	2355	SW Suburban Publishing	Legal Advertising-Prior Lake	\$	244.72
1/11/2005	2356	ECM Publishing	Legal Advertising-Lakeville	\$	165.73
1/11/2005	2357	Scott County Treasurer	Assessment Set Up	\$	77.00
1/13/2005	2358	Integra Telecom	Telephone Service	\$	291.97
2/7/2005	2359	Gerold Bros Construction	Culvert Refunds	\$	1,200.00
2/7/2005	2360	HH Homes	Culvert Refund	\$	600.00
2/7/2005	2361	KA Witt Construction	Culvert Refund	\$	600.00
2/7/2005	2362	Anchor Bank	Jan Withholding Taxes	\$	912.66
2/7/2005	2363	A Maas Construction	NPDES Refund	\$	1,736.75
2/7/2005	2364	Alan & Jackie Reid	NPDES Refund	\$	1,592.75
2/7/2005	2365	Stonebridge Homes	NPDES Refund	\$	1,829.00
2/7/2005	2366	Koestering Homes	NPDES Refund	\$	1,725.50
2/7/2005	2367	McDonald Construction	NPDES Refund	\$	3,190.00
2/7/2005	2368	Holly Batton	Expense Reimbursement	\$	275.80
2/7/2005	2369	Scott Soil & Water	Soil & Erosion Insp - November	\$	3,849.25
2/7/2005	2370	Halling Engineering	Engineering Work	\$	17,328.50
2/7/2005	2371	David Herman DVM	Escrow Acct Refund	\$	3,007.00
2/7/2005	2372	McKinley Sewer Service	Pump Tank at Town Hall	\$	445.00
2/7/2005	2373	Xcel Energy	St Francis Street Lite	\$	11.28
2/7/2005	2374	Edw Kraemer & Sons	Lime	\$	24.28
2/7/2005	2375	Center Point Energy	Town Hall Gas Bill;	\$	148.94
2/7/2005	2376	City of Savage	Hampshire Ave Maint Contract	\$	700.00
2/7/2005	2377	4-Paws Animal Control	Animal Disposal	\$	130.00
2/7/2005	2378	Minnesota Valley Electric	Joint Lift Station	\$	38.51
2/7/2005	2379	Bridget Chard	Consulting-Request for RFQ's	\$	210.00
2/7/2005	2380	Ecocheck	Residential Tank Inspections	\$	1,700.00
2/7/2005	2381	EcoCheck	O and M – December SP / MH	\$	5,497.39
2/7/2005	2382	Bridget Chard	Consulting-Request for RFQ's	\$	1,058.50
2/7/2005	2383	Bryan Rock	Limestone	\$	1,419.12
2/7/2005	2384	Jerry Maas	Expenses	\$	194.95
2/7/2005	2385	Scott County Treasurer	Salt / Sand Last 1/2 2004	\$	881.89
2/7/2005	2386	Art John son Trucking	Snow Plowing/ Sanding	\$	6,491.36
2/7/2005	2387	Halling Engineering	Engineering Services	\$	35,359.28
2/7/2005	2388	Scott County Treasurer	Seal Coating	\$	9,166.00
2/7/2005	2389	ECM Publishing	Legal Advertising	\$	244.36

2/7/2005	2390	Minnesota Valley Electric	Town Hall Electricity	\$	13.00
2/7/2005	2391	Hakanson Anderson Associates	Township Engineering	\$	1,620.00
2/7/2005	2392	Better Roads Magazine	Subscription	\$	24.00
2/7/2005	2393	Scott County Treasurer	S Pass / Mont Hgts Permit	\$	365.00
2/7/2005	2394	Scott Soil & Water District	Soil & Erosion Inspections	\$	2,063.25
2/7/2005	2395	Eide Bailly	Progress Payment - 2004 Audit	\$	1,000.00
2/7/2005	2396	SW Suburban Publishing	Legal Advertising	\$	127.23
2/7/2005	2397	Keith Telthoester	NPDES Refund	\$	1,633.25
2/7/2005	2398	Northwest Associated Consultants	Plan / Zone Consulting	\$	827.60
2/7/2005	2399	Collins Tree Service	Tree Control	\$	9,478.50
2/7/2005	2400	Dan Casey	Mileage Reimbursement	\$	38.85
2/7/2005	2401	Bruce Nilsen	Expense Reimbursement	\$	184.98
2/7/2005	2402	Jerald R Maas	Services as Clerk	\$	2,539.62
2/7/2005	2403	Bruce Nilsen	Services as Supervisor	\$	674.15
2/7/2005	2404	Leroy Schommer	Services as Supervisor	\$	452.51
2/7/2005	2405	Holly Batton	Services as Treasurer	\$	978.91
2/7/2005	2406	Dan Casey	Services as Supervisor	\$	507.92

## Adjourn

There being no further business before the Town Board, Supervisor Bruce Nilsen made a motion to adjourn, Chairman Dan Casey offered a second, all in favor, motion carried 2-0. The meeting Adjourned at 1:05 am.

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Submitted By: (s/) Jerald R. Maas

Township Clerk  
Credit River Township

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Approved By : (s/) Dan Casey

Chairman – Board of Supervisors  
Credit River Township