

# **Credit River Township Meeting Minutes June 6, 2005**

## **Call to Order**

Chairman Dan Casey called the meeting to order at 7:08 pm

## **Members Present:**

Chairman Dan Casey, Supervisor Bruce Nilsen, Supervisor Leroy Schommer

## **Others Present:**

Clerk Jerry Maas, Treasurer Holly Batton, Township Attorney Bob Ruppe, Township Engineer Jeff Elliott, SSD Consultant Bridget Chard

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

It was noted that Engineer Jeff Elliott presented a cost estimate of \$3000 to prepare a road inventory based on 19 miles of Township Roads. He asked that he be given the opportunity to review this based on the actual road inventory of 50 miles. Clerk Maas will make the correction to the minutes

Chairman Casey called for a motion to accept the minutes from the May 2, 2005 meeting with the afore mentioned corrections...

Supervisor Bruce Nilsen made a motion to accept the minutes with corrections. Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 – 0.

## **Treasurers Report:**

Treasurer Holly Batton presented the Treasurer's report.

Supervisor Leroy Schommer made a motion to accept the treasurers report as presented. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

## **Agenda Items**

### **Sheriff's Report**

Clerk Jerry Maas reported that he had received the May Sheriff's Report via the mail. He noted that there were 132 calls in the Township for May. Of these, 21 were for false alarms and 10 for burning permit violations. .

### **Resident's Group Report**

Jim Kohout, co-chair of the CAG reported on the last meeting. Annie Klussendorf from Northwest Associated Consultants attended the meeting to discuss Park Planning with the CAG.

He noted that the group felt that the current \$500 per lot fee charged for the Park Fund with each building permit was too low in view of current real estate prices.

He also noted that the CAG spent some time reviewing the current Township ordinances and has now prioritized them from 1 to 3 according to current applicability.

Attorney Bob Ruppe noted that with regard to the solicitation ordinance that the CAG ought to review the current proposed ordinance and submit recommendations.

A question arose as to whether Scott County already had an ordinance. Attorney Ruppe indicated that he would check on the current county status of this type of an ordinance.

The next meeting of the CAG is scheduled for 6/21/05.

## **Open Forum**

- 1) Carolyn Schulte noted that there are a couple of Beaver Dams on an adjacent project. She is concerned that if they are taken down, it would cause a problem for her property.  
  
Jacob Fick, from Laurent Development, owners of the adjacent property indicated that there are no plans to disrupt these at this time. If it becomes necessary to address these dams in the future, they will take care to also address the drainage issues that will result.

## **Agenda Item # 1 – Ted Kowalski – On Site Marketing – Discuss Developer’s Agreement for Cress View Estates**

Ted Kowalski, Developer with On Site Marketing appeared to inquire about the current status of this agreement. Attorney Ruppe noted that while the Board had previously agreed to this, there have been numerous changes and he wanted to bring it back to the Board’s attention.

Mr. Ruppe noted that this agreement also provided for the paving of the Town Hall parking lot.

Supervisor Leroy Schommer asked if the easement for the ROW extension thru outlet A to the North Line of Cress property was being addressed. Attorney Ruppe noted that the final plat will incorporate this easement.

Mr. Ruppe noted there might be a discrepancy on the names of the current trustees. He will verify as to the accuracy in the morning and notify the Town Clerk as to the accuracy of the current signatures.

Mr. Kowalski presented a letter of credit in the amount of \$1,716,388.00. This letter of credit will expire on December 31, 2005 as the Township requires.

In that his family owns property adjacent to the development, Supervisor Dan Casey recused himself.

Supervisor Bruce Nilsen made a motion to accept the Developer’s Agreement conditioned on the approval of the Township Attorney. Supervisor Leroy Schommer offered a second, all in favor, motion carried 2 – 0. (Casey abstaining)

It was noted that we will need to discuss the parking lot paving election at the July meeting of the Board.

## **Agenda Item # 2 – Tim Arvidson – Bakken Development – Request Final Plat and Developer’s Agreement Approval for Scottsview Acres**

Tim Arvidson representing Bakken Development appeared to request Final Plat approval and approval of the Developer’s Agreement for Scottsview Acres

Attorney Ruppe presented a copy of a proposed Developer’s Agreement for the Board to consider.

Mr. Arvidson noted that the property values of his development are going to be considerable in excess of the adjoining property.

Engineer Jeff Elliott noted that the developer had addressed the two concerns previously noted and that the current plans meets engineering requirements.

Based on their review, Supervisor Bruce Nilsen made a motion to approve the Developer’s Agreement and Final Plat for this project contingent of the review and approval of the Township Attorney. Supervisor Leroy Schommer offered a second. All approve motion carried 3 – 0.

## **Agenda Item # 3 – Bridget Chard – CSTS Consultant – Discuss CSTS Open Items, Pumping Contract, etc.**

Bridget Chard, SSD Consultant for Credit River, appeared to discuss the following items:

a) Pumping Contract.

Bridget noted that she had provided a copy of the proposed Pumping Contract to Swedlund Services of Belle Plaine. She is recommending approval subject to correction of typing errors.

Supervisor Bruce Nilsen made a motion to accept the contract subject to approval of the Township Attorney. Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 - 0.

b) GASB 34

Bridget noted that she and Ryan Brandt met with the State Auditor to review the provisions of the GASB 34 requirements for accounting provisions of the CSTS systems.

Treasurer Holly Batton asked about possible conflicts between our Township Auditor and Ms. Chard's requirements. It was her desire that the Board be clear on who should be dictating our accounting standards.

Attorney Bob Ruppe suggested that we obtain a quote from Eide Bailey on preparing the necessary paperwork for us to comply with the GASPE 34 requirements.

c) Billing Procedures

Bridget suggested that she is researching some standards for billing practices that she intends to supply to the Town Clerk and Treasurer.

d) Territory SSD Ordinance.

Bridget has prepared a draft ordinance for the operation of the Territory Subordinate Service District.

Bridget noted that Paul Heuer had some concerns about some of the requirements in the ordinance. Attorney Bob Ruppe has requested that Laurent provide us with written comments on their concerns.

In the interests of expedience, Attorney Ruppe suggested that the hearing on the ordinance be set for next month's township meeting and that the rate hearing be scheduled for some time during the month of August.

Supervisor Leroy Schommer made a motion to set the ordinance hearing at 7:00 on July 6, Supervisor Bruce Nilsen offered a second, all in favor, motion carried, 3- 0.

## **Agenda Item # 4 – Other Business**

1) Zoning Amendments.

Attorney Ruppe noted that there were no issues for the Township.

2) Town Hall Air Quality

Engineer Jeff Elliott presented the results of a study that he had performed at the request of the Board. He noted that the results of the test indicated that no hazardous materials were present in dangerous amounts.

3) Discussion of settlement options on Longview Lane

Engineer Jeff Elliott presented the results of a study by Braun Engineering that indicates that the road potentially meets township standards. Mr. Elliott noted that this only represents some assurances that the road is not seriously in a state of jeopardy, however, the township may still wish to provide assurances of financial protection for the Township in case of error. Chairman Casey asked that Attorney Ruppe proceed with

negotiations to obtain a final settlement with the developers in view of the investment of time that the Township has in this issue.

4) Fences on Monterey Heights / South Passage

Supervisor Bruce Nilsen asked about the status. Engineer Jeff Elliott noted that he has been working with the developer and the MPCA to arrive at a satisfactory solution. He observed that if we follow the requirement we will be in effect double fencing: the area. He is pursuing some combination of landscaping and fences to provide the protection. He and the developer are working on a plan to solve this problem.

Attorney Ruppe noted that it is important that the MPCA approve our plan in writing.

5) Landscaping Problem on Monterey Ave.

The Board asked Clerk Maas to write a letter to Bill Feldman reminding him of the agreement to touch up the ditch.

6) Billing of CSTS

Supervisor Bruce Nilsen asked about the time required to bill the homeowners for the monthly charges. Treasurer Holly Batton noted that it is taking longer than anticipated. She further noted that she has talked to the bank about direct payments from individual bank accounts.

Clerk Jerry Maas also suggested that a payment coupon system similar to that used for car payments might be instituted that would minimize the time required to perform this task.

7) Road Inventory

Supervisor Casey asked Engineer Jeff Elliott about progress on the Road Inventory. Engineer Jeff Elliott stated that they are working on this.

8) Solicitation Ordinance

Attorney Ruppe noted that the CAG is reviewing. Supervisor Dan Casey suggests that we place on next months agenda.

9) Delinquent CSTS billings

Treasurer Holly Batton noted that we have a builder who is delinquent on CSTS billings. It was decided that the mechanism for collecting remains the assignment to the taxes.

10) Town Hall Remodeling

Treasurer Holly Batton presented some plans and quotes on this project. The board suggested that Treasurer Batton continue moving forward with this research.

11) Building Permit Fee Structure

Treasurer Holly Batton presented a suggested rate schedule that would allow collecting the new tank inspection fees, locate fees, etc.

The board decided to add the locate fee to the monthly charges for CSTS operations.

12) EAW

The Township has received a request to review the EAW for the Pearson Gravel Pit.

Supervisor Dan Casey moved Dan moved to authorize, Leroy seconded.

## Review and Pay Bills

The Town Board approved the following claims for payment:

5/3/2005	2516	Royal Concrete Pipe	Pebble Brook Ct Storm Sewer Repair	\$	741.61
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5/3/2005	2517	Doug Scheurenbrand	Garbage Pickup	\$	156.63
5/6/2005	2518	Integra Telecom	Telephone Service	\$	282.28
5/6/2005	2519	MVEC	Joint Lift Station-03/21/05 - 04/20/05	\$	50.65
6/6/2005	2520	Anchor Bank	May Withholding Taxes	\$	1,198.58
6/6/2005	2521	Couri Macarthur & Ruppe	Legal Expenses	\$	14,031.25
6/6/2005	2522	Johnson Trucking	Grading Roads	\$	3,037.00
6/6/2005	2523	Scott Soil & Water	April NPDES Inspections	\$	5,470.00
6/6/2005	2524	Xcel Energy	St Francis Street Lite	\$	11.35
6/6/2005	2525	Hankanson Anderson Engineering	Engineering Services	\$	13,697.82
6/6/2005	2526	CenterPoint Energy	Town Hall Gas	\$	47.85
6/6/2005	2527	Scott County Treasurer	Salt 1st Half 2005	\$	8,050.00
6/6/2005	2528	EcoCheck Inc	April Sewer o & M	\$	3,332.63
6/6/2005	2529	Hakanson Anderson	Engineering Services	\$	13,728.09
6/6/2005	2530	SW Suburban Services	Legal Advertising-PL	\$	55.90
6/6/2005	2531	Gallagher's	Black Dirt-170th St Culvert Repair	\$	134.19
6/6/2005	2532	ECM Publishing	Legal Advertising-Lakeville	\$	105.48
6/6/2005	2533	Dustcoating Inc	Dust Treatment	\$	960.75
6/6/2005	2534	Safety Signs	170th St Speed Limit	\$	650.00
6/6/2005	2535	NAC	Planning Consulting Prop/Auto/Liability/ E and O Insurance	\$	1,497.00
6/6/2005	2536	MAT	Insurance	\$	1,865.00
6/6/2005	2537	Shayne Fox	Access Refund	\$	600.00
6/6/2005	2538	McWilliams & Associates	Access Refunds	\$	1,800.00
6/6/2005	2539	J B Woodfitter	Access Refund	\$	600.00
6/6/2005	2540	Scott Soil & Water	E and S Inspections	\$	3,134.50
6/6/2005	2541	MVEC	Joint Lift Station 04/20/05 - 05/20/05	\$	47.41
6/6/2005	2542	Dennis Karow	Lawn Care	\$	1,986.23
6/6/2005	2543	MVEC	Town Hall Electricity	\$	40.00
6/6/2005	2544	ECM Publishing	Legal Advertising-Lakeville	\$	18.88
6/6/2005	2545	Bruce Nilsen	Cell Phone Allowance	\$	50.00
6/6/2005	2546	Leroy Schommer	Expense Reimbursement	\$	91.00
6/6/2005	2547	Dan Casey	Cell Phone Allowance	\$	50.00
6/6/2005	2548	Jerry Maas	May Expenses	\$	225.00
6/6/2005	2549	Holly Batton	Services as Treasurer	\$	1,060.03
6/6/2005	2550	Dan Casey	Services as Supervisor	\$	618.74
6/6/2005	2551	Jerry Maas	Services as Clerk	\$	2,955.20
6/6/2005	2552	Bruce Nilsen	Services as Supervisor	\$	618.74
6/6/2005	2553	Leroy Schommer	Service as Supervisor	\$	840.38

## Adjourn

There being no further business before the Town Board, Supervisor Leroy Schommer made a motion to adjourn, Supervisor Bruce Nilsen offered a second, all in favor, and motion carried 3-0. The meeting adjourned at 10:12 pm.

Submitted By: (s/) Jerald R. Maas

Township Clerk  
Credit River Township

Approved By : (s/) Dan Casey

Chairman – Board of Supervisors  
Credit River Township