

Credit River Township Meeting Minutes July 6, 2005

Call to Order

Chairman Dan Casey called the meeting to order at 7:05 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, Township Planner, Bob Kirmis

Minutes of the previous meeting:

Chairman Dan Casey called for a motion to accept the minutes from the June 6, 2005 meeting.

Clerk Jerry Maas noted that he made a correction to the copy of the minutes previously supplied the supervisors regarding the Scott View Acres project. The corrected minutes should read that they were applying for Final Plat approval and not Preliminary Plat approval.

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

Treasurers Report:

Treasurer Holly Batton presented the Treasurer's report.

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

Agenda Items

Sheriff's Report

Clerk Jerry Maas received the Sheriff's report following the meeting.

Resident's Group Report

No one appeared this evening.

The next meeting of the CAG is scheduled for 7/19/05.

Open Forum

- 1) Steven Palmer, resident of Credit River appeared to report that he is withdrawing his application to sub-divide his 10 acre parcel into 2 lots. The project was called Coles Landing.

He cautioned residents who would like to divide there land to research records thoroughly to insure that there are no existing covenants that might preclude the development.

He further is asking the Board to take into consideration his predicament with regard to a driveway he installed four years ago on his property through existing wetlands. He noted that he was un-aware that he was required to apply for a permit for this project at the time and is now being asked by the Army Corps of Engineers to remove this driveway

He is asking that the Board (LGU) grant him the minimal impact option as he seeks to acquire wetland credits to mitigate this violation.

Township Engineer Jeff Elliott noted that all of the other existing governmental units are deferring to the local Township LGU and that this issue would never have been brought to our attention but for the attempt to sub-divide the land. Mr. Elliott is recommending that the Township in fact meet Mr. Palmer's request to minimize the mitigation requirement.

Chairman Dan Casey noted that the Board is certainly open to attempting to arrive at a satisfactory solution

Agenda Item # 1 – Bud and Joyce Borglund – Murphy Lake Blvd. Request Approval for Interim Use Permit – Dog Kennel

Bud and Joyce Borglund, residents of Murphy Lake Blvd. appeared to request a recommendation to approve their plan to open a Dog Kennel on their property on Murphy Lake Blvd.

Planner Bob Kirmis noted that the County had prepared a report on this project that noted the Borglund's met the six (6) "Criteria for Approval" and furthermore listed 10 "Conditions for Approval".

Supervisor Nilsen noted that meeting the requirement for the number of dogs in the kennel is very important and suggested that the Berglund's might want to keep a log of the kennel population at all times.

It was also suggested that they give serious consideration to providing some sort of fire protection.

Finding everything to be in order on this request, the Board will recommend to the county that the Berglund's request be approved.

Agenda Item # 2 – Bill and Betty Mesenbrink - Request Preliminary and Final Plat Approval for Robin Court – 2 lots on 169th Street

Bill and Betty Mesenbrink, residents of 167th Street appeared to ask for Preliminary and Final Plat approval for their request to sub-divide a 5 acre parcel on 169th Street into two (2) parcels.

In view of the previous discussion (Coles Landing) it was suggested that the Mesenbrinks insure that there are no recorded covenants against the property that would preclude this request.

In view of the fact that the project meets all of the requirements for sub-division, the Board will recommend to the County that Robin Court be approved subject to receiving lot fee and turn lane contributions as required of all developments in the Township.

Agenda Item # 3 – Ray Joachim – Request Preliminary / Final Plat Approval for Joachim's Addition – 2 Lots on Southfork Drive

Ray Joachim, property owner in Credit River appeared to request approval for Preliminary and Final Plat for Joachim's Addition on Southfork Drive.

It was noted that the potential exists to access the property from County Highway 68. The Board noted that this would not be allowed by the county.

In view of the fact that the project meets all of the requirements for sub-division, the Board will recommend to the County that Joachim's Addition be approved subject to receiving lot fee and turn lane contributions as required of all developments in the Township.

Agenda Item # 4 – Ted Kowalski – On Site Marketing – Request Recommendation for Final Plat Approval for Cress View Estates consisting of 44 lots and 2 outlets on approximately 172 acres in Sections 16 and 17.

Ted Kowalski, representing On Site Marketing appeared to request approval for Final Plat for Cress View Estates

Engineer Jeff Elliott noted that all of the Townships requirements have been met.

It was noted that the developer's agreement requires that the Township decide by July 15, 2005 as to paving the Town Hall parking lot. The Board was not sure they would be able to make a final decision on this by that time. Mr. Kowalski agreed to waive the July 15th deadline for the decision for paving the parking lot and will email formal notification of this to the Township.

Both Attorney Bob Ruppe and Engineer Jeff Elliott are of a mind that the paving project could not be done any cheaper than is being proposed by the developer.

Mr. Kowalski stated that all agreements necessary at this time with adjoining property owners have been completed. The Board was not sure that this was completely accurate in that it was their impression that a number of items were still open.

Supervisor Leroy Schommer made a motion to adopt a resolution to accept the proposal from On-Site Marketing to pave the Town Hall parking lot. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0...

In view of the fact that the project meets all of the requirements for sub-division, the Board will recommend to the County that Joachim's Addition be approved subject to receiving lot fee and turn lane contributions as required of all developments in the Township

Agenda Item # 5 – Engineers Report

1) Status of Water Study

Engineer Jeff Elliott presented copies of a letter from Hakanson Anderson updating the Town Board on the current status of this project. He noted that the Minnesota State Board of Health has indicated that it will be 4 - 6 weeks before we hear from them.

2) Status of Road Inventory Project

The Town Board has previously authorized Engineer Jeff Elliott to assemble an inventory of the roads in the Township, noting the general condition of each road as well as any particular requirements (weed cutting, etc) Mr. Elliott noted that he has begun to look at some of the roads.

Clerk Jerry Maas noted that there are a few small projects in the Township where the residents have requested some minor repair work be undertaken and that we are falling behind in getting these completed. He asked if the Board would be willing to delegate the responsibility for hiring this work done to the Township Engineer rather than rely on the Supervisors doing the work themselves as they are able.

In the opinion of the Board, it would be difficult to find people to do this type of job at reasonable prices and therefore they would just as soon continue to handle it themselves.

It was noted that in some instances, safety is an issue and therefore Supervisor Leroy Schommer made a motion to authorize Engineer Jeff Elliott to take necessary steps to correct road hazards that are deemed safety issues. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

Chairman Dan Casey noted that potential savings on some of these projects can be achieved by coordinating with the Scott County Public Works department.

3) Status of Creekside Drive

The Board met previously with residents of Creekside Drive to review the generally poor condition of Creekside Drive. At that time, the Board assured the residents that they would take steps to address some of the problems with the road.

Chairman Casey reported that work is now being undertaken to accomplish this repair work and hopes to have it completed soon.

Agenda Item # 6 – Other Business

1) Solicitation Ordinance

Township Attorney Bob Ruppe noted that the Citizen's Advisory Group (CAG) had been asked for input on this proposed ordinance. In view of the fact that no one from the CAG was present this evening, no action was taken.

2) Over – Night Parking Restrictions

It has been noted that we have had instances of parking on Township Roads that has hindered emergency vehicles, snow removal equipment, school buses and general traffic from utilizing the roads. While we have a "wintertime policy", it seems apparent that we need an ordinance that would cover the entire calendar year.

The Board directed Attorney Bob Ruppe to prepare a draft ordinance for the next meeting.

3) Discuss Requirements for Stop Sign Placement – (Un Warranted Stop Signs)

It has been noted that certain "Stop Signs" exist on Township Roads that appear to not be "warranted". In view of the fact that the county is very reluctant to install "un-warranted stop signs" due to liability issues, the question arises as to the Township liability for previously installed "un-warranted" stop signs.

The Board directed Attorney Bob Ruppe to investigate this question as well as to determine what steps need to be taken to remove them should it be necessary.

4) Discuss EAW for Pearson Gravel Pit

The Township has been asked to review the EAW prepared by Scott County in response to the application by Prior Lake Aggregates to mine gravel on the south side of county road 44 within the township limits of Credit River.

Engineer Jeff Elliott reports that he and Township Planner Bob Kirmis have completed their review. Mr. Kirmis noted several comments which he reviewed with the Board.

Supervisor Bruce Nilsen made a motion to direct Engineer Jeff Elliott to contact Mr. Gerald Duffy, attorney for the gravel pit and then to forward these comments to the County. Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 – 0.

5) Invoice for Weed Cutting

Clerk Jerry Maas presented the invoice for the first weed cutting. While the total amount of \$1000 seemed reasonable, it was noted that the bill called out 40 miles of road was included. Considering that the Township has a total of 50 miles (100 taking into account both sides), and also considering the amount of roadway that is now seeded or maintained by the homeowners, it seemed that 40 miles was large.

Chairman Casey wondered if perhaps some County Road right of way was included. The Board directed Clerk Maas to call the contractor and get a clarification. In addition, it was noted that it might be advisable under the road inventory project

above to include some measure of the actual weed cutting requirement on each road.

6) Consider Resolutions to Accept Roads in Century Hills / Century Ponds per Developer's Request

The Township received a request from John Kane, Developer of Century Ponds and Century Hills, to formally accept the roads in these two developments.

Engineer Jeff Elliott noted that he had inspected the roads and found that while some routine maintenance needed to be performed soon, that as far as the developer was concerned, they were acceptable and he recommends that the Township accept the roads.

Supervisor Leroy Schommer made a motion to adopt the resolution presented formally accepting the roads. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 - 0.

7) Rental Agreement – Hakanson Anderson Engineering

In that Hakanson Abderson Engineering is located in Anoka and the engineering requirements for the Township have become quite time consuming, Engineer Jeff Elliott suggested that his firm open a sub-office at the Town Hall for which they would be willing to pay rent.

Attorney Bob Ruppe presented the Board with a draft a rental agreement suggesting a rent of \$150/month. The Board will take the proposed agreement under advisement and discuss at the August meeting.

8) Accept / Sign CSTS Pumping Agreement

At the June meeting, the Board accepted the CSTS Pumping Agreement between the Township and Swedlund Services and directed Wastewater Consultant Bridget Chard to forward it to the contractor for signature.

Josh Swedlund of Swedlund Services has since signed the agreement and returned it to the Township for final signature. Clerk Jerry Maas presented the copy of the contract to the Board and Chairman Dan Casey signed the agreement. Copies will be sent to the contractor, and EcoCheck Inc.

9) Approve Joint Powers Agreement for 2006 Assessor Services

The Scott County Taxation Department has prepared the Agreement for the calendar year 2006 requesting Board acceptance and signature.

The fees for 2006 are proposed to be \$21,600, an increase of \$3,400 over the amount charged in 2005.

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

Chairman Dan Casey signed the agreement. Clerk Jerry Maas will also sign and forward to the county.

10) Discuss Resident Request to Consider Connection of Towering Oaks Trail

The Town Board had previously discussed the possibility of completing the connection of this road between Scott View Estates and Judicial Estates. A final decision on this was tabled pending an assessment of the traffic conditions after the completion of the construction of 185th Street / County Road 21.

Bryan Reichel, resident of Judicial Estates, recently had an emergency call and the responders noted that the connection between Scott View Estates and Judicial Estates is still closed. Mr. Reichel requested that the Town Board reconsider connecting this road at this time.

After some discussion, the Board decided to leave the question on the table until the construction as noted above is completed.

11) Town Hall Remodeling Status

Treasurer Holly Batton reported minimal progress this past month.

Chairman Casey suggested we contact Ran Buildings for a quote.

12) Preliminary discussion of Budget for 2006

In view of the hour, this topic was not addressed.

Review and Pay Bills

The Town Board approved the following claims for payment:

6/7/2005	2554	Gerold Bros Construction	Refund Bldg Permit	\$	3,375.00
6/14/2005	2555	Bridget Chard	SSD Consulting Fees	\$	1,750.19
6/16/2005	2556	Integra Telecom	Phone Services	\$	284.25
6/23/2005	2557	Klingberg Trucking	Rock Hauling	\$	5,531.59
6/23/2005	2558	Edward Kraemer & Sons	Limestone	\$	13,883.23
6/23/2005	2559	Braun Intertec	Road Testing Longview Lane	\$	1,500.00
6/23/2005	2560	Anchor Bank	Deposit Slips	\$	25.50
6/30/2005	2561	Private Underground	Locates	\$	591.00
7/5/2005	2562	MVEC	MH / SP Joint Lift Station	\$	25.28
7/5/2005	2563	Gopher State One Call	Utility Locates (Twp Expense)	\$	14.85
7/5/2005	2564	Koesterling Schumacher	Culvert Refund	\$	600.00
7/5/2005	2565	A Maas Construction	Culvert Refund	\$	3,600.00
7/5/2005	2566	ECM Legal Publishing	Legal Advertising-Lakeville	\$	25.95
7/5/2005	2567	Vector Env Testing	Town Hall Air Quality Testing	\$	350.00
7/5/2005	2568	Scott Soil & Water	NPDES Inspections	\$	3,300.00
7/5/2005	2569	Couri Macarthur & Ruppe	Legal Fees	\$	6,625.00
7/5/2005	2570	Hakenson Anderson Associates	Engineering	\$	22,219.94
7/5/2005	2571	City of Prior Lake	2nd Half Fire Contract	\$	58,379.50
7/5/2005	2572	Northwest Assoc Consultants	Planning Consulting	\$	4,296.90
7/5/2005	2573	EcoCheck Inc	May Sewer O and M / Inspect Services	\$	9,685.61
7/5/2005	2574	Xcel Energy	St Francis Street Lite	\$	11.48
7/5/2005	2575	CenterPoint Energy	Town Hall Gas	\$	23.54
7/5/2005	2576	Scott County Treasurer	Assessment Services -2005	\$	18,200.00
7/5/2005	2577	Fenco Inc	Country Court Backstop	\$	2,800.00
7/5/2005	2578	Holly Batton	Expense Reimbursement	\$	171.03
7/5/2005	2579	McWilliams & Associates	NPDES Refund	\$	1,637.00
7/5/2005	2580	Jerry Maas	Expense Reimbursement	\$	345.22
7/5/2005	2581	MVEC	Town Hall Gas Bill	\$	39.00
7/5/2005	2582	Art Johnson Trucking	Blade/Grade Roads	\$	348.00
7/5/2005	2583	Dennis Karow	Park Lawn Care	\$	1,246.05
7/5/2005	2584	Bridget Chard	Wastewater Consulting Services	\$	529.45
7/5/2005	2585	Anchor Bank	June 941 Withholding	\$	1,085.67
7/5/2005	2586	Dan Casey	Cell Phone Allowance	\$	50.00
7/5/2005	2587	Leroy Schommer	Cell Phone Allowance	\$	50.00
7/5/2005	2588	Briuce Nilsen	Cell Phone Allowance	\$	50.00
7/5/2005	2589	Holly Batton	Services as Treasurer	\$	999.43
7/5/2005	2590	Dan Casey	Services as Supervisor	\$	563.33
7/5/2005	2591	Jerald R Maas	Services as Clerk	\$	2,955.20
7/5/2005	2592	Bruce Nilsen	Services as Supervisor	\$	563.33
7/5/2005	2593	Leroy Schommer	Services as Supervisor	\$	784.97

7/5/2005	2594	New Market Bank	Payment of Road Improvement Loan	\$	14,893.64
7/5/2005	2595	Steven Palmer	Refund Coles Landing Lot / Turn	\$	4,700.00

Adjourn

There being no further business before the Town Board, Supervisor Bruce Nilsen made a motion to adjourn, Supervisor Leroy Schommer offered a second, all in favor, and motion carried 3-0. The meeting adjourned at 11:10 pm

Submitted By: (s/) Jerald R. Maas

Township Clerk
Credit River Township

Approved By : (s/) Dan Casey

Chairman – Board of Supervisors
Credit River Township