

Credit River Township Meeting Minutes September 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, Township Wastewater Consultant Bridget Chard

Minutes of the previous meeting:

Chairman Dan Casey called for Clerk Maas to highlight the minutes of the August 1, 2005 meeting that had been distributed previously to members of the board and staff.

Supervisor Bruce Nilsen offered a motion to accept the minutes as read. 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 Treasurer's report as presented. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

Agenda Items

Sheriff's Report

Clerk Jerry Maas received the report in the mail.

Resident's Group Report

Jim Kohout reviewed the minutes of the last meeting of the CAG. He noted that the group had reviewed a number of the Township ordinances with a view to recommending that those that no longer apply be repealed and those that do apply be updated to reflect current conditions.

Mr. Kohout also noted that the residents would like to see some action on the parks.

The next meeting of the CAG is scheduled for 9/20/05.

Open Forum

- 1) Sarah Anderson, resident of Casey's reinforced the previous discussion that they would like to see action directed at improving the condition of the parks. She noted that a Girl Scout troop would like to assist with the park improvement plan. She inquired as to what had to be done to get the work started. The Girl Scouts need 50 hours each to qualify for their award. Constructing picnic tables was suggested.

Dan Casey suggested that Sarah work with Leroy Schommer on future plans.

Township Planner Bob Kirmis suggested that the Board consider hiring professionals to oversee the work.

- 2) Supervisor Bruce Nilsen noted that his neighbors driveway on Dakota Ave. is washing out

- 3) Resident Jim Kohout of Casey Parkway noted that some work needs to be done on the culvert in his neighborhood.

Agenda Item # 1 – Dale Swanson – Request setback variance to replace ISTS system on Birch Road

Dale Swanson, resident of Birch Road appeared to request a favorable recommendation to allow him to replace his non-compliant Individual Sewage Treatment System (ISTS)

Engineer Jeff Elliott reviewed the request with the Board and recommended that the Board approve the request.

Supervisor Bruce Nilsen made motion to recommend approval, Supervisor Leroy Schommer offered second, all in favor, motion carried 3 - 0

Agenda Item # 2 – Mark Ward – SPMHC – Request recommendation to approve building modifications for cell tower.

Mark Ward, a representative of Cingular Wireless/American Tower Corporation appeared to request a favorable recommendation to approve a conditional use permit to construct a shelter and co-locate antennas on an existing wireless communications tower in the RR-1 and RR-2 Districts.

Engineer Jeff Elliott reviewed the request with the Board and recommended that the Board approve the request.

Supervisor Leroy Schommer made a motion to recommend approval, Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

Agenda Item # 3 – Reconvene the 2005 Annual Meeting for the purpose of establishing final tax levy amounts for 2006

The annual meeting held on March 9, 2005 was continued until this date to allow the township to more accurately forecast expenditures for 2006.

A nomination was made by Jim Kohout to elect Resident Jay Saterbak to moderate the discussion. Resident Ruth McLeod offered a second. Mr. Saterbak was elected moderator by a voice vote of those in attendance.

Treasurer Holly Batton reviewed past expenditures and presented recommendations for 2006 that she and Clerk Jerry Maas prepared prior to the meeting.

After a brief discussion, Mr. Saterbak called for a motion on the Fire Protection Fund. Resident Jim Kohout made a motion to set the 2006 Levy for the Fire Protection Fund at \$120,882. Resident Carolyn Schulte offered a second. Motion carried by a voice vote of all in attendance.

Following a brief discussion on expenditures required to keep the roads in the township in good condition and recognizing that the State of Minnesota required that the Township Levy a total of \$261,483 in order to qualify for gas tax monies, resident Jim Kohout made a motion to set the 2006 Levy for the Road and Bridge Fund at \$261,483. Resident Dan Casey offered a second. The motion carried by a voice vote of all in attendance.

Following a discussion on higher projected expenses due to the increased population and resulting services necessary, resident Jim Kohout made a motion to set the General Fund Levy for 2006 at \$285,000. Resident Carolyn Schulte offered a second. The motion carried by voice vote of those in attendance.

Following a call from moderator Jay Saterbak, resident Ruth McLeod made a motion to close the Annual Meeting. Resident Jim Kohout offered a second, all in favor, motion carried by a voice vote of those in attendance.

The annual meeting was closed and the Board returned to the items scheduled for the general monthly meeting.

Agenda Item # 4 – Don Loehr – Request recommendation for preliminary plat approval – Loehr Ridge

Don Loehr, resident of Murphy Lake Blvd. and principal representative of the Loehr Family Limited Partnership, appeared to request a recommendation for approval of the Preliminary Plat for Loehr Ridge.

Gary Johnson, engineer for the Loehr Family presented the plan which proposes to divide the property into 4 industrial lots, 16 residential lots and 5 outlots on 176.98 acres in the UER-C and I-1 Districts..

Engineer Jeff Elliott previously reviewed the project and submitted his comments in writing. He noted that it was especially important that all of the required easements be obtained prior to Final Plat approval. He recommended that the Board give a favorable recommendation to Mr. Loehr's request subject to the conditions he noted in his written comments.

Township Planner Bob Kirmis also previously reviewed the proposal and also submitted his comments in writing. He too recommended that the Board approve Mr.' Loehr's request subject to the conditions outlined in his written comments.

As a condition of approval, the board asked the developer to incorporate the suggestions made by both Mr. Kirmis and Mr. Elliott and also asked that as a condition of final approval, all required easements be obtained before Final Plat approval, that the developer transfer by warranty deed any needed right of way at the intersection of Murphy Lake Blvd and Loehr Ave and that a connection be constructed to access the Cress View Estates project.

Supervisor Leroy Schommer made motion to approve the Preliminary Plat for Loehr Ridge, Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

Agenda Item # 5 – Engineer's Report

Township Engineer presented information on current projects as follows:

1) Water Study

Engineer Jeff Elliott presented an update. He noted that he has been working with the city of Savage in developing a Request for Proposal (RFP) to prepare a water study for both communities. They are looking to have a report on this study by April 2006. Mr. Elliott also reported that he has met with both the DNR and representatives of the Met Council and was favorably received by both organizations.

2) Status of Road Inventory Project

Engineer Jeff Elliott presented the updated road inventory report with corresponding ratings for each township road.. The board asked that Supervisor Leroy Schommer continue to work with Mr. Elliott in continuing to develop this plan. The object is to compile a mid to long term road maintenance plan that will serve as an input to an overall Capital Improvement Plan (CIP)

3) Stonegate – Request Reduction in LOC

Engineer Jeff Elliott presented a letter from Hakanson and Anderson written in response to a request from the developer for a reduction in the Letter of Credit that the Township holds in the amount of \$167,822 against the project.

As a part of the discussion on this project it was determined that the townships a requirement (an ordinance) specifying that utility companies get permits to work in the township right of way and that they furthermore be required to restore the right-of way when the work is completed.

Attorney Bob Ruppe was asked to send a sample Right of Way ordinance that will serve this purpose.

Supervisor Bruce Nilsen made motion to approve the request for reduction in the LOC for Stonegate on the condition that they set the expiration date at either 12/31/05 or 12/31/06 in line with the Township policy requiring that all LOC's expire at the end of the calendar year. Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 – 0.

4) Builders/Homeowners Manual for The Territory

Engineer Jeff Elliott presented copies of the recently completed wastewater manuals covering both installation and operation of the CSTS in the Territory project. The Builder's Manuals will be handed out as building permits are applied for and the Homeowners Manuals will be distributed to the homeowners..

Agenda Item # 6 – Other Business

1) Plat Change for The Territory

Engineer Jeff Elliott presented a minor change to the Plat for the Territory 2nd addition that amounted to correcting some lot width dimensions.

Supervisor Bruce Nilsen made a motion to approve the requested change. Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 – 0.

2) Request 2nd Driveway Access – Ward Larson Property.

Clerk Jerry Maas presented a request from resident Ward Larson for an Access Permit to build a 2nd access to his parcel ,connecting to the new Stonegate project. In that the Township allows only one access per parcel, Mr. Larson is asking permission to construct the access at this time, but not use it until such a time as his other access to Judicial Road is allowed.

Supervisor Dan Casey made a motion to grant Mr. Larson the permit on the condition that he construct a permanent earthen barrier of substance amounting to approximately 35 yards of material with a 3 to 1 slope and that no gate be constructed. He also asked that Mr. Larson review the point of access with Engineer Jeff Elliott in event that future road construction would not be compatible. It was noted that should this happen, Mr. Larson would be expected to replace the access at his own expense. Mr. Casey also proposed that the Township retain the access escrow deposit without interest until new driveway completed.

Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

3) Request 2nd Driveway – access – Joe Rebholz Property on Jesse Lane

Resident Joe Rebholz presented his proposal to construct an accessory building on the rear portion of his property on Jesse Lane. As a part of this proposal, Mr. Rebholz is asking to be allowed to construct a second access to Natchez Ave. due to the impossibility of connecting to his current access on Jesse Lane.

After a brief discussion, Supervisor Dan Casey made a motion to recommend approval based on hardship. Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 – 0.

4) Troy Friedges – Request Escrow Refund - Frieges Western Sunset Addition

Clerk Jerry Maas presented a letter from Developer Troy Friedges asking that his escrow balance be refunded in view of the fact that his project has been given Final Plat approval and all work has been completed.

Engineer Jeff Elliott noted that he had no objection to this request

Supervisor Leroy Schommer motion a motion to grant the request. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

- 5) Discuss proposal to remove existing unsafe playground equipment – plans for new equipment for parks.

The board asked that a formal sealed bid process be established to auction the existing Rainbow Play Equipment. Clerk Jerry Maas will work with Attorney Bob Ruppe to take care of this.

- 6) Discuss NPDES Soil and Erosion Control for post closing transfer to homeowner

Clerk Jerry Maas noted that there remains one deficiency in the current procedure for managing the Erosion and Sediment under the NPDES program. Throughout the building phase of the project we exercise precautions to insure that materials remain on the construction site through sediment fences and techniques to insure that the earth is stabilized on the construction site. The deficiency occurs when the home is turned over to the eventual owner and we loose all control over management of the materials on the property. What is proposed is a "landscape escrow deposit" from the homeowner requiring that the property be stabilized thru landscaping, etc..

The board concurred and asked that Attorney Bob Ruppe and Clerk Jerry Maas look into the permitting process and recommend a remedy this deficiency..

- 7) Discuss request to purchase old chairs

Resident Tim Gillette has submitted a letter to the Township proposing to purchase some old wooden chairs that are no longer used.

The board would like to add these chairs to the sealed bid process outlined above and directed Clerk Jerry Maas to arrange for the details.

- 8) Discuss request from On Site Services for reimbursement of "Locate Fees".

Dave Hetchler of On-Site Services has submitted a bill proposing to be reimbursed for locate fees incurred prior to the Township engaging One Call Services to perform these duties.

The board authorized payment and specified that these charges be assigned to the Monterey Heights / South Passage Sewer District.

- 9) Discuss Federal Hazard Mitigation Program

Clerk Jerry Maas reported that the Federal Emergency Management Agency (FEMA) is now requiring that all governmental units submit a Hazard Mitigation Plan in order to be eligible for Federal Disaster Funds in the event of an emergency. Scott County will coordinate this effort and more information will follow.

Review and Pay Bills

The Town Board approved the following claims for payment:

8/11/2005	2644	MVEC	Mont Hgts Joint Lift Station	\$	24.79
8/11/2005	2645	Edw Kraemer & Sons	Limestone	\$	9,821.17
8/11/2005	2646	Klingberg Trucking	Haul Gravel	\$	990.78
8/11/2005	2647	EcoCheck	Sewer Services	\$	3,354.37
8/11/2005	2648	One Call Concepts	Locate Services	\$	52.65
8/11/2005	2649	ECM Publishers	Legal Advertising-Lakeville	\$	41.09
8/11/2005	2650	MVEC	Town Hall Electricity	\$	62.00
8/11/2005	2651	SW Suburban Publishing	Legal Advertising-Prior Lake	\$	131.10
8/11/2005	2652	Dept of Natl Resources	Water Appropriations Fee	\$	75.00
8/11/2005	2653	Bridget Chard	Consulting	\$	160.00

8/25/2005	2654	Integra Telecom	Phone Services	\$	502.52
8/25/2005	2655	Art Johnson Trucking	Road Maintenance	\$	9,150.80
8/30/2005	2656	New Market Bank	Road Installment Payment	\$	14,750.38
8/30/2005	2657	Anchor Bank	July Withholding Taxes	\$	1,038.21
9/6/2005	2658	Reid Anderson	NPDES Refund	\$	480.00
9/6/2005	2659	Wooddale Builders	NPDES Refund	\$	1,583.50
9/6/2005	2660	Stonebridge Homes	NPDES Refund	\$	1,720.25
9/6/2005	2661	McDonald Construction	NPDES Refund	\$	1,583.25
9/6/2005	2662	McWilliams & Associates	NPDES Refund	\$	3,183.50
9/6/2005	2663	A Maas Construction	NPDES Refund	\$	1,240.00
9/6/2005	2664	Rongitsch Homes	NPDES Refund	\$	1,545.25
9/6/2005	2665	Metro Prairie Homes	NPDES Refund	\$	1,539.25
9/6/2005	2666	Gerold Bros Construction	NPDES Refund	\$	1,525.00
9/6/2005	2667	Keyland Homes	NPDES Refund	\$	1,729.75
9/6/2005	2668	Northwest Bituminous	Road Repair/Patching	\$	4,800.00
9/6/2005	2669	Grassland Central	Grass Seed - Creekside Cir Proj	\$	225.00
9/6/2005	2670	Collins Tree	Tree Trimming 204th Street	\$	692.25
9/6/2005	2671	Scott Soil & Water	NPDES Inspections	\$	4,550.00
9/6/2005	2672	C H Carpenter Lumber	Town Hall Window Repair	\$	76.90
9/6/2005	2673	Anchor Bank	August Withholding	\$	1,059.50
9/6/2005	2674	Northwest Associated Consultants	Planning Assistance	\$	4,296.90
9/6/2005	2675	Hakanson Anderson Engineering	Engineering Work	\$	25,939.11
9/6/2005	2676	Couri Macarthur & Ruppe	Legal Work	\$	5,000.00
9/6/2005	2677	Xcell Energy	St Francis Street Light	\$	11.64
9/6/2005	2678	Eide Bailly LLP	Audit Fees 2004	\$	412.50
9/6/2005	2679	Art Johnson Trucking	August Road Maintenance	\$	2,820.29
9/6/2005	2680	Holly Batton	Expense Reimbursements	\$	152.68
9/6/2005	2681	Jerry Maas	Expense Reimbursements	\$	286.75
9/6/2005	2682	Void		\$	-
9/6/2005	2683	Wooddale Builders	Culvert Refund	\$	600.00
9/6/2005	2684	J B Woodfitter & Associates	Culvert Refund	\$	600.00
9/6/2005	2685	Leroy Schommer	Expense Reimbursements	\$	66.40
9/6/2005	2686	Bruce Nilsen	Expense Reimbursements	\$	93.94
9/6/2005	2687	Dan Casey	Expense Reimbursements	\$	84.85
9/6/2005	2688	Holly Batton	Services as Treasurer	\$	1,016.73
9/6/2005	2689	Dan Casey	Services as Supervisor	\$	618.74
9/6/2005	2690	Jerald R Maas	Services as Clerk	\$	2,955.20
9/6/2005	2691	Bruce Nilsen	Services as Supervisor	\$	563.33
9/6/2005	2692	Leroy Schommer	Services as Supervisor	\$	618.74
9/6/2005	2693	Prestige Pools	NPDES Refund	\$	3,980.00
9/6/2005	2694	Eric Gagne	Escrow Balance Refund	\$	2,075.00

Adjourn

There being no further business before the Town Board, Supervisor Nilsen made a motion to adjourn, Supervisor Schommer offered a second, all in favor, and motion carried 3-0. The meeting adjourned at 10:35 pm

Submitted By: (s/) Jerald R. Maas

Approved By : (s/) Dan Casey

Township Clerk
Credit River Township

Chairman – Board of Supervisors
Credit River Township