

TOWN OF SILVER CREEK
REGULAR MEETING
APRIL 16, 2013

The regular meeting of the Town Board of the Town of Silver Creek was held on Tuesday April 16, 2013 at the Town Hall. Present were Supervisors – Mike Hoops, Greg Hull, Larry Lampart; Treasurer – Bobbi Gilbert; Clerk – Frederick R. Whitney; Road Foreman – Rick Grupe; Wenck Associates – Eric Blasing, Peter Mueller.

Hoops called the meeting to order at 6:00 p.m.

CONSTITUENTS CONCERNS:

None

WENCK ENGINEERING:

- Culvert design engineering proposal – Wenck will prepare a proposal for design work on the 3 major culvert replacement projects. Joel Toso will be the engineer from Wenck. They will provide benchmark settings, right sizing of culvert, a one culvert system, any relief culverts, elevations and a topo survey that runs 400 ft up and down from the site area. Wenck believed it should be in the \$2,500 - \$5,000 range. We already have received a proposal from LHB Engineering.
- Stewart River Subordinate Sewer District – With the new engineer, Brian Fitzpatrick now in place with the MPCA, as well as the weather we have been experiencing, we won't be able to meet the June 1, 2013 deadline for the filing of our IUP (Intended Use Plan). After discussion, the Board and Wenck will now work towards a June 2014 deadline for the IUP. The new IUP proposal will be discussed at our regular May meeting. The new IUP is because we are now moving the plant location, moving to a filtering system and a modified service area.
- Castle Danger Subordinate Sewer District – There are 3 new sewer extensions being proposed – Stone, Tollefson and Wicklands – where we will require an engineering review. We are attempting to deal with all three at the same time in order to save money.

REVIEW MINUTES:

Motion by Hoops, second Lampart to accept the 3/19/2013 Regular minutes with corrections. Carried unanimously.

TREASURER'S REPORT:

TOSC checking: \$75,437.64 and TOSC savings: \$536,207.40 for a total of \$611,645.04 – Outstanding items of \$5.00 – L.B. Error and \$.85 – L.B. Error for a total of \$611,650.89. Motion by Hoops, second Lampart to accept the March 2013 Treasurer Report as presented. Carried unanimously. Motion by Hoops, second Hull to transfer \$70,000 from savings to checking as per the Treasurer's request. Carried unanimously.

The Clerk was directed to review Claims 3244 & 3245, which are Indebtedness Payments, and how they are recorded within CTAS, and then report back to the Board in May.

READING OF THE BILLS:

Current month's bills were read. Motion by Hull, second Lampart authorizing payment of the bills and electronic funds.

CORRESPONDENCE:

MAT Official Officer's Listing – Signatures required.

SPECIAL OLYMPICS RAFFLE gambling application request – Motion by Hull to deny the request. Motion failed for lack of a second. Motion by Lampart, second Hoops to approve, Hull opposed. Motion carried.

LAKE COUNTY Interim use application – Crosser – Approved by Lake County.

LAKE COUNTY Conditional User order – Regional ATV Trail – Approved by Lake County
MRWA Active Shooter training opportunity brochure – April 30th.

ROAD & SAFETY:

Rick presented the proposals for a new excavator –

- ** CAT 314L – \$154,770
- ** John Deere 135D – \$145,868
- ** Case 130B – \$141,400

Rick recommended that either the CAT or the John Deere would be fine, but not the Case. Discussion followed as to machine age, prior use of the CAT, lifting capacities, size, options, initial warranties, etc. Hoops made a motion, second by Lampart to purchase the John Deere 135D, contingent upon obtaining adequate financing from The Lake Bank. Motion carried unanimously.

The addition of a ditching bucket, trenching bucket and a hammer will be dealt with later; after we sell the existing excavator.

The selling of our existing excavator will be dealt with at a later meeting.

Hull made the motion, second by Lampart to obtain the extended warranty of 2500 hours, 5 years, at a cost of \$3,702. Motion carried unanimously.

OLD BUSINESS:

- Lake County CSAH 3 Road realignment and memorandum of understanding. Tabled until the snow is gone and we can review the survey marks.
- Creation of a “Fill Borrow Pit” within the memorandum of understanding. Hoops made a motion, second by Hull to strike the creation of a fill borrow pit within the memorandum. Motion carried unanimously.
- Possible modifications to the Cemetery Rules, Regulations and Charges. Tabled to our May meeting.

NEW BUSINESS:

- Association of Lake & Cook County Township Officers, ALCCTO, will meet on October 2, 2013, at 6:00 pm at the Town Hall. Clerk will place on Township website calendar.
- Set new hearing date for the annual CDSSD rate hearing. Hull made the motion, second by Lampart to set May 14, 2013, 7:00 pm, at the Town Hall. Motion carried unanimously.
- Corridor investment management strategy (CIMS) discussions with Lake County. The Clerk will contact Al Goodman in order to set up a meeting.
- IRRRB funds are available to township residences for old building teardown monies. The Clerk will investigate the process.

BOARD REORGANIZATION:

- Motion by Hull, second Lampart nominating Mike Hoops to be Chairman of the Board. Hoops abstained. Motion carried.
- Motion by Lampart, second Hoops nominating Greg Hull to be Vice-Chairman. Hull voted no. Carried.
- Due to the fact that the Wastewater Treatment Facility Operator’s hourly wage has not been increased for over five years, and when the day comes to replace the operator we need to be realistic with that position’s hourly wage, and the fact that the sewer fund is now operating in the black, Hull made the motion, second by Lampart, to increase the hourly wage to \$24.00 per hour effective April 13, 2013. Hoops abstained. Motion carried.
- Motion by Hull, second Lampart that in addition to the per hour wage received by Hoops for the position of Wastewater Treatment Facility Operator he also receive \$500.00 per year for mileage driven in his personal truck in conjunction with the position. Hoops Abstained. Motion carried.
- Resolution authorizing contract with interested officer -

**RESOLUTION 2013-3
RESOLUTION AUTHORIZING CONTRACT
WITH INTERESTED OFFICER UNDER**

M.S. § 471.88, Subd. 5

WHEREAS, Town of Silver Creek, Lake County, Minnesota is seeking the performance of the following service:

Wastewater Treatment Facility Operator – ‘C’ License

WHEREAS, Michael Hoops was hired as an employee in the position of Wastewater Treatment Facility Operator prior to being elected to the position of supervisor;

WHEREAS, Michael Hoops is a supervisor of said Township and will be financially interested in the contract for the following described reason:

He is directly providing the service as an employee of the Township.

WHEREAS, the Town Board advertised in the Lake County Chronicle to fill the position of Wastewater Treatment Facility Operator, and Michael Hoops was the only applicant qualified for the position;

NOW, THEREFORE, BE IT RESOLVED that the Town Board, upon a unanimous vote of the supervisors with the interested officer abstaining, finds that the contract price of \$24.00 per hour is as low as or lower than the price at which the services could be obtained elsewhere at this time;

BE IT FURTHER RESOLVED, that the Town Board, pursuant to M.S. §§ 365.37; 471.88, Subd. 5; and 471.89, does hereby authorize a contract with Michael Hoops for a price of \$21.50 per hour. Payment to occur on the contract as agreed and upon the filing of a proper affidavit by the interested officer.

Adopted the 16th day of April 2013

Supervisor Greg Hull moved adoption of the foregoing Resolution, seconded by Supervisor Larry Lampart, and upon vote being taken, the same was declared duly adopted upon unanimous yea vote of Supervisors Greg Hull and Larry Lampart. Mike Hoops abstained due to conflict of interest of being an employee and determining the wage for his position.

Greg Hull

Larry Lampart

ATTEST:

Frederick R. Whitney

ABSTAINED

Michael Hoops

- Review Clerk Hours – As had been requested at the October of 2012 regular meeting, the Clerk presented his report of hours worked from October 2012 thru April 10, 2013. On average, the Clerk has worked 86.95 hours per month. Motion by Hull, second by Lampart, to set the Clerk’s monthly base wage at \$1,550, and, at the September regular meeting, we are to receive another “Clerk Hours Review”, in order to re-evaluate the hours and monthly base wage, and all extra meeting per diems are to remain the same, effective April 13, 2013. Carried unanimously.

