

TOWN OF SILVER CREEK
SPECIAL MEETING – CROSS CARTWAY
July 9, 2013

A special meeting of the Town Board of the Town of Silver Creek was held on Tuesday July 9, 2013 at 7:00 p.m. at the Town Hall for the purpose of discussing a procedure for determining damages in the Cross cartway matter that avoids the duplication of tasks and expenses by all parties. Present were Supervisors – Mike Hoops, Greg Hull, Larry Lampart; Clerk – Frederick R. Whitney. Timothy Costley, Steven L. Cross, Cathryn Grace Sunde, Mary Lou Anderson, Lyle Saur, Pat Saur, Kaye Saur, Donald Saur, Colleen Saur, Larry Saur, Andrew Saur, Annika Saur, Albertine Ricard, Duane Ricard.

Hoops called the meeting to order at 7:00 p.m. Hoops indicated that the both the cartway survey and legal description have been completed. It was the Board’s hope that a methodology could be agreed upon for determining damages – land appraisal, forestry appraisal and cost of variables.

Mr. Costley indicated that his clients would like to agree upon one appraiser as oppose to multiple appraisers. Absent of that, they were agreeable to abide by what the Board decided. Mr. Saur would like to see the survey and legal description. Mr. Hoops directed the Clerk to email both the survey and legal description of the approved cartway to all parties; this was completed at the meeting. Lyle Saur would like to be formally notified of the cartway declaration/location. The Board agreed that this would be forthcoming. Lyle indicated that he believes that there are utilities inside of the cartway area and that screening would need to be moved.

Discussion continued regarding the cartway layout. Mr. Hull reminded all that the purpose of the meeting was to come up with a methodology for determining damages. Through discussion, Hull suggested that he heard three areas for determining damages; Land Value, Timber Value and Value of the Variables – screening, utilities being moved, etc.

- All parties were agreeable in determining a Land Value as calculated by the Chairman utilizing recent land sales received from the County Assessor for similar size, developing a per square foot price and then applying this value times the land acreage square footage within the cartway.
- All parties were agreeable in determining a Timber Value by utilizing Tom Martinson, or Jon Fogelberg, if Tom is unavailable/unwilling, to prepare an appraisal.
- The Saur’s will prepare a list of variables, and supply suggested costs associated, to the Board. The Board will then identify an associated value.

Donald Saur indicated that he has a recorded easement that runs from the Aspen Road to the South through the cartway area along Lyle Saur’s property. Hull indicated we are in the process of obtaining an easement for a maintenance turn-around. The cartway will run from the southern end of this maintenance area to the south, not from the declared end of the Aspen Road. Hull suggested that he present his easement issue to the next board meeting in that this meeting is only for discussing damages to property owners, not easement holders.

The Clerk was directed to provide an accounting of all cartway related costs paid to date; the cost listing was emailed to all parties.

Town of Silver Creek		Program Code Report		7/9/2013	
For the Period: 01/01/2010 to 07/09/2013					
Program Code: 004 - Cross Cartway					
Receipts					
Date	Receipt Number	Received From	Account Number	Amount	
3/23/2012	4887	Cathryn Sundae	100-34900	\$10,000.00	
			Total Receipts	\$10,000.00	
Disbursements					
Date	Check Number	Vendor	Account Number	Amount	
4/17/2012	12064	Kleive, Laura	100-41000-430	\$10.55	
10/9/2012	12270	Payroll Period Ending 09/30/2012	100-41110-100	\$50.00	

10/9/2012	1011201232	Payroll Period Ending 09/30/2012	100-41400-100	\$50.00
10/9/2012	1011201221	Payroll Period Ending 09/30/2012	100-41400-100	\$50.00
10/9/2012	1011201210	Payroll Period Ending 09/30/2012	100-41110-100	\$50.00
11/20/2012	1120201232	Payroll Period Ending 11/20/2012	100-41400-100	\$6.05
12/17/2012	12283	Johnson & Morris, LLP	100-41000-300	\$197.50
12/17/2012	LE12201232	Frederick R. Whitney	100-41000-430	\$32.45
2/14/2013	12357	Johnson & Morris, LLP	100-41000-300	\$1,030.00
2/19/2013	LE02211310	Hoops, Michael	100-41110-430	\$7.91
2/19/2013	LE02211332	Frederick R. Whitney	100-41000-200	\$57.57
2/19/2013	12377	Wenck Associates, Inc.	100-41000-300	\$874.20
2/21/2013	12382	Payroll Period Ending 02/19/2013	100-41110-100	\$50.00
2/21/2013	219201310	Payroll Period Ending 02/19/2013	100-41110-100	\$50.00
2/21/2013	219201331	Payroll Period Ending 02/19/2013	100-41110-100	\$50.00
2/21/2013	219201332	Payroll Period Ending 02/19/2013	100-41400-100	\$50.00
4/15/2013	418201332	Payroll Period Ending 04/16/2013	100-41400-100	\$50.00
4/15/2013	418201331	Payroll Period Ending 04/16/2013	100-41110-100	\$50.00
4/15/2013	418201310	Payroll Period Ending 04/16/2013	100-41110-100	\$50.00
4/15/2013	12413	Payroll Period Ending 04/16/2013	100-41110-100	\$50.00
4/16/2013	LE04181332	Frederick R. Whitney	100-41000-430	\$7.91
4/16/2013	LE04181310	Hoops, Michael	100-41110-430	\$7.91
5/11/2013	12446	Johnson & Morris, LLP	100-41000-300	\$1,165.00
5/21/2013	LE05231332	Frederick R. Whitney	100-41000-430	\$7.91
5/21/2013	LE05231332	Frederick R. Whitney	100-41000-200	\$68.31
5/21/2013	LE05231310	Hoops, Michael	100-41110-430	\$7.91
5/23/2013	523201332	Payroll Period Ending 05/21/2013	100-41400-100	\$50.00
5/23/2013	523201331	Payroll Period Ending 05/21/2013	100-41110-100	\$50.00
5/23/2013	12449	Payroll Period Ending 05/21/2013	100-41110-100	\$50.00
5/23/2013	523201310	Payroll Period Ending 05/21/2013	100-41110-100	\$50.00
6/18/2013	12476	Parker, Samuel	225-43100-300	\$1,820.00
Total Disbursements				\$6,101.18

Hull made a motion to adjourn the meeting at 8:10 p.m. Lampart seconded the motion. Motion carried unanimously.

Respectfully submitted,
Frederick R. Whitney, Clerk