

TOWN OF SILVER CREEK
REGULAR MEETING
August 20, 2013

The regular meeting of the Town Board of the Town of Silver Creek was held on Tuesday August 20, 2013 at the Town Hall. Present were Supervisors – Mike Hoops, Greg Hull and Larry Lampart; Clerk – Frederick R. Whitney; Treasurer – Bobbi Gilbert; Road Foreman – Rick Grupe.

Hoops called the meeting to order at 7:00 p.m.

CONSTITUENTS CONCERNS:

Tom Anderson wanted to understand the standards for color and roofing over the new cemetery directory monument. The Board would prefer a natural color and suggested the chapel roof's color; an ash grey.

Dan Schutte from Lake County Soil and Water discussed the work being done regarding the County's 10 year Water Plan. Their website – www.co.lake.mn.us/swcd - has a survey and more information available to the public.

The Board suggested that within the next town's newsletter that a piece be written and inserted discussing the water plan process.

RECESS MEETING:

Hull made a motion, second Lampart, to recess the regular meeting at 7:30 p.m. in order to reopen the Annual Meeting. Motion carried unanimously.

REOPENED REGULAR MEETING:

Hoops reopened the regular meeting at 7:42 p.m.

REVIEW MINUTES:

Motion by Hull, second Lampart to accept the 07/16/2013 Regular minutes as presented. Carried.

TREASURER'S REPORT:

TTOSC Lake Bank checking: \$127,289.21 and savings: \$587,696.79 for a total of \$714,986.00 – \$13.58 bank loan interest error and a \$.10 payroll batch error.

Motion by Hull, second Lampart to transfer \$55,000 from savings to checking as per the Treasurer's request. Carried.

Motion by Hull, second Hoops to accept the July 2013 Treasurer Report as presented.

READING OF THE BILLS:

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

CORRESPONDENCE:

LAKE COUNTY Land Use applications: Wallace, Fjeran, Johnson, Halbur, Timm, Sve, Swanson and Hron.

LAKE COUNTY Planning and Zoning: Cazier and Love.

LAKE COUNTY Board of Adjustments – Side yard setback variance – Dye denied

MN Revenue – 2014 Township Certified Levy – \$9,847.00

Lake Superior Community Theater – Donation request – unable to donate, regardless it needs to come through annual Town meeting.

Nordic Equipment Auction – August 21, 2013.

ROAD & SAFETY:

Grupe indicated that the LHB design work for East Castle Danger Road will be done in 2 weeks. The Clerk will forward to all as he receives. East Castle Danger Road continues to have ditch work and culverts installed. Replacement culverts have been purchased. Grupe has been spraying chloride in Two Harbors. Discussion regarding ditch mowing and a possible Town mower purchase versus waiting to use the County's or renting was conducted without a conclusion.

OLD BUSINESS:

- Aspen Road – Regarding the turnaround maintenance easements. We still do not have a response to our offer of \$250 for Lyle Saur's easement. Ricard is ready to sign.

After discussion, Hoops made a motion, second by Lampart, directing the Clerk to try one more time to obtain Lyle Saur's permission and signature for the maintenance easement, accepting the \$250, by August 27, 2013. Absent of acceptance by the 27th, the Clerk is to inform Lyle Saur that the offer of the \$250 for the easement is rescinded. Additionally, the Clerk is to contact the Town Attorney to begin the road alteration of Aspen Road offering no damages/payment. Motion carried unanimously.

Hoops made a motion, second Hull, that if Lyle Saur is amiable to the easement and the \$250 payment, that the Clerk be directed to contact the Town Attorney to begin the easement process for both the Saur portion of the road maintenance turn-around easement, as well as Mr. Ricard's portion of the road, as well as the larger turn-around area on his property. Motion carried unanimously.

The additional maintenance area on the Ricard property will be provided by via an easement of which the \$750 stipend will be paid to Mr. Ricard regardless of a full road and maintenance easement or a road alteration and a maintenance easement.

Larry Lampart agreed to obtain the property owner resident signatures for the road alteration petition.

- CDSSD-Lift Stations 1 & 2-Repair Quote – The Infratech cement repair work quote was reviewed. It was noted that several attempts have been made to obtain quotes from multiple providers and Infratech was the only response:
 - Lift Station 1 cement repair work - \$6,500
 - Lift Station 2 cement repair work - \$6,500
 - Influent control structure repair work - \$11,300

Hoops made a motion, Lampart second, to have the Clerk prepare a Town contract with Infratech utilizing the Infratech quote as Exhibit A, with the work being completed this fall. A start date of no sooner than September 15, 2013 and to be completed no later than November 15, 2013. And to have the Chair authorized to sign the contract. Motion carried unanimously.

- Insurance Coverage Update – The Clerk updated the Board as to insurance coverage and the free appraisal that will be conducted by the insurance company. Once the appraisal is conducted, we can adjust the insured values of our buildings.

Hoops made a motion, second Lampart, to increase the insured value of the Town garage to \$500,000. This amount to be modified as the appraisals is received. Motion carried unanimously.

- SRSSD Update – Hoops updated the Board with the fieldwork that he and Eric Blasing from Wenck have been completing. A copy of an email from Eric is as follows –

Mike, here is a summary of our fieldwork from last week as requested for your Board meeting.

Wenck conducted wetland delineation and soil borings on approximately 40 acres of the Town owned land located at the end of Cedar Road. Fieldwork was conducted August 14 – 16. It appears favorable soils and sufficient land is available for use on the northern half of the property. Wetland delineation was primarily conducted on this half of the property as soil was more favorable for wastewater system siting and due to the proximity to Cedar Road. At this time wetlands delineated and soil borings conducted have not been uploaded from our survey equipment yet but is underway, therefore a figure/site plan is not available. Once this is completed, Wenck will conclude if sufficient land is available and all wetlands can be avoided for construction of the land-based wastewater treatment system. Because this land is within 0.25 miles from an inhabitable dwelling, stabilization ponds will not be an alternative. As previously discussed, the system will likely be a packaged type aerobic treatment plant or a media filter in combination with a land-based dispersal component.

Wenck met with Walt VanDenHeuvel from Lake County at the site on August 16. We walked the northern part of the property and showed him some of the wetlands and the targeted area for use for the system. He was in concurrence with our wetland assessment and did not oppose our evaluation. He did state that once a conclusion has been made that this land will work, he would like to complete another site visit. Walt will also need to verify the soil investigation at that time.

Mike and I also met Chris Morris of the MN DOT. I requested a meeting with them to review available geotechnical borings conducted along HWY 61. I found abundant information from Two Harbors all the way to the Silver Cliff tunnel. Borings conducted varied in depth. A copy was made of hand-written borings conducted along the route associated to MN DOT stationing. Also, a copy of site plans including this stationing was made so we can translate to the Stewart River project.

Sincerely,

Eric Blasing

- Sale of Old Excavator – Bid Opening

Two bids were received –

- Reijo T. Vastila - \$8,326.00
- Kevin Hudson - \$8,100.00

Hull made a motion, second by Lampart, to accept the Vastila bid of \$8,326.00 and that upon receipt of certified funds or cash the Clerk is to transfer ownership to Mr. Vastila. Motion carried unanimously.

- District 10 meeting August 29, 2013 in Twig, MN at 7:00.

New BUSINESS:

- U.S. Bank CD – Land Variance Violation - Authorized signers

This CD is being held due to a fence construction violation. The fence was constructed without a permit, and is on the property line – no side yard setback.

U.S. Bank needs the minutes and/or a resolution to reflect who are the authorized signers for this CD.

Hoops made a motion, second Hull, to authorize the Board Chair – Michael A. Hoops, and the Town Clerk – Frederick R. Whitney, to be authorized signers on the Town’s CD. Motion carried unanimously.

RESOLUTION 2013-8
Silver Creek Township, Lake County, Minnesota

A RESOLUTION APPROVING THE TOWN BOARD CHAIR AND CLERK BE AUTHORIZED SIGNERS ON THE TOWN US BANK CD

WHEREAS, the Town Board has received information that the previous Town Clerk, Wendy Langanki and current Town Chair Michael Hoops are the authorized signers on the US Bank CD, and

WHEREAS, in order to allow both the current Town Clerk, Frederick R. Whitney and current Town Board Chair, Michael Hoops, to obtain both information and be able to direct US Bank with the financial dealings of the Town CD, we the Town Board do authorize Michael Hoops and Frederick R. Whitney to be authorized signers.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Silver Creek does hereby request that US Bank update their records in order to allow either Michael A. Hoops or Frederick R. Whitney to access the Town’s CD and direct US Bank with the financial dealings of the CD. The town clerk is hereby authorized to take any steps necessary to implement this change.

	<u>Yes</u>	No	Other
Supervisor <u>Hoops</u>	<u>X</u>	_____	_____
Supervisor <u>Hull</u>	<u>X</u>	_____	_____
Supervisor <u>Lampart</u>	<u>X</u>	_____	_____

Adopted this 20th day of August, 2013.

BY THE BOARD

Town Chair

Attest: _____
Town Clerk

Voting Yes – Michael Hoops, Larry Lampart and Greg Hull voted yes on Resolution
Voting No – None

- East Castle Danger Road –
The culvert replacement was discussed. LHB is working on the design as discussed. The survey for the road has been delivered. Hoops made a motion, second by Hull, directing the Clerk to contact the Town attorney in order to begin the road alteration process for the East Castle Danger road. Motion carried unanimously.
- Hoops indicated that he thought Michelle Bakkes-Fogelberg of Lake County Public Health Services would be a great annual meeting speaker. The Clerk was directed to have that put in place for March 2014.
- Heavy Equipment Operator ads are running and we have received some 6 applications to date. The Board reviewed the applications.

There being no further business, meeting adjourned at 10:10 p.m. upon motion by Hull, second Lampart. Motion carried unanimously. The next regular meeting of the Town Board will be held on Tuesday September 17, 2013 at 7:00 p.m. at the Town Hall.

Respectfully submitted,
Frederick R. Whitney, Clerk