

TOWN OF SILVER CREEK  
CASTLE DANGER SUBORDINATE SERVICE DISTRICT MEETING  
September 3, 2013

The Castle Danger Subordinate Service District meeting of The Town Board was held on Tuesday, September 3, 2013 at the Town Hall. Present were Supervisors – Mike Hoops, Larry Lampart, (Hull was unable to attend); Clerk – Frederick R. Whitney. Constituents – Leroger Lind, Donald Wick, Tom Opfer, Nancy Mancini, Chuck & Linda Linden, and Jon & Barbara Norine.

Hoops called the meeting to order at 7:11 p.m.

**WASTEWATER OPERATOR'S REPORT:**

*Wastewater Operator's Report – September 2, 2013*

*June – Received 0.9931 million gallons influent*

*July – Received 1.2557 million gallons influent*

*August – Received 1.1358 million gallons influent*

*The district received 0.0933 million gallons of trucked-in waste in during this quarter. This is a result of above average rainfall not allowing land application of bio-solid material.*

*For this quarter, influent flows were up for all three months as compared to the same quarter one year ago.*

*Irrigation for the quarter was:*

*June – 1.636 million gallons*

*July – 3.444 million gallons*

*August- 3.010 million gallons*

*Irrigation has been hampered by the above average rainfall this year. It is compounded by the fact that if it rains, not only can we not irrigate, the rainfall is also filling the ponds.*

*Two new connections have been made this summer. Lois Stone and Julie McLaughlin are both connected. The Stone connection should be the last of the "grandfathered in" mound systems.*

*We have had one residence disconnected due to the structure fire on Cedar Ridge. Ben Wright is working with a contractor to rebuild and be back on line by next spring.*

*The Tollefson property on Hwy 61 is still scheduled for building yet this fall.*

*John Thomas, Minnesota Pollution Control Agency Compliance Inspector, inspected the system this past month. Initial reaction is that everything is good. His report will be forthcoming. He spent 2-3 hours looking over the system and reviewing paperwork and operating procedures.*

*I am working with 4 different companies at this time to find a new control system for the irrigation system. Running this manually is not the answer! If I had to charge for real time, driving time and mileage to operate the system it would soon become unaffordable. It also requires my donating my time to the system since I cannot leave home any day that the system is irrigating.*

*Influent and effluent samples were collected and analyzed. The samples were consistent to those of past years.*

*Service calls on failed pumps were performed as needed. We had 2 pump failures due to a possible voltage surge on August 28. .*

*All monthly reports and sampling required by MPCA sent in a timely fashion.*

*Work planned for next quarter will include annual grinder station inspections, building more insulated boxes, continued irrigation and winterization of the system after a killing frost or October 15, connection of the home previously mentioned and repair work to lift stations and distribution control structure.*

*We still are waiting for a meeting with County Coordinator, County Attorney and our legal counsel to move forward with the work that is required to complete enforcement action for zoning violations within the district.*

*Please see attached balance sheet for the district as supplied by the clerk.*

*Respectfully submitted,*

*Mike Hoops, Operator*

Hoops made a motion, second by Lampart, to accept the Operator's Report as presented. Motion carried.

Whitney presented the Interim Financial Report for CDSSD; 08-31-13

<b>Town of Silver Creek</b>		
<b>Interim Financial Report by Account Number (YTD)</b>		
<b>As of 08/31/2013</b>		
<b>600 - Enterprise Fund</b>		
<b>Receipts:</b>		<u><b>Actual</b></u>
	MISCELLANEOUS REVENUES	\$1,764.60
	Interest Earnings	\$85.87
	Residential	\$10,517.21
	Commercial	<u>\$33,018.12</u>
	<b>Total Revenues</b>	<b>\$45,385.80</b>
<b>Disbursements:</b>	Sewer	\$67,557.38
	Sanitary Sewer Construction	\$287.00
	<b>Total Disbursements</b>	<b>\$67,844.38</b>
<b>Other Financing Uses:</b>	Transfers to other Funds	\$755.00
		(\$783.29)
	<b>Outstanding Fund Balance</b>	<b>(\$23,996.87)</b>
<b>602 - Enterprise - replacement</b>		
<b>Receipts:</b>		<u><b>Actual</b></u>
	MISCELLANEOUS REVENUES	\$311.63
	Interest Earnings	\$60.63
	Future Replacement	<u>\$14,498.40</u>
	<b>Total Revenues</b>	<b>\$14,870.66</b>
<b>Disbursements:</b>	Sewer	<u>\$0.00</u>
	<b>Total Disbursements</b>	<b>\$0.00</b>
<b>Other Financing Uses:</b>	Transfers to other Funds	\$0.00
		\$58,495.10
	<b>Outstanding Fund Balance</b>	<b>\$73,365.76</b>

**CONSTITUENTS CONCERNS:**

Chuck Linden said that he was told when he applied for a building permit – SCZ-10-5 – for the construction of a seasonal cabin, that he did not need to hook up to the Castle Danger Subordinate Sewer System. This property, PID 29-5409-32077 is clearly within the CDSSD and by ordinance they would need to hook up to the CDSSD sewer system. The permit SCZ-10-5 which Mr. Linden referenced indicates that an “outhouse” would be constructed, and “Not Applicable” was marked under “Section F. Sewage Disposal” on the building permit application. Additionally, the sketch that is attached to the application, the message, “Note: No running water in buildings”, was noted.

Mr. Linden confirmed multiple times that they have not created a septic system as yet, nor a mound system, just a “Privy”, and that there is no running water within the buildings. Both Charles and the Clerk presented copies of building permits – SCZ-10-5 and SCZ-11-6, as well as the Clerk’s copies of other Linden building permits – SCZ-11-2 and SCZ-12-2. As they were examined, none indicated a request for a sewer system and no indication of installing a mound sewage system.

Finally, Mr. Linden remarked that Dwight Lind “signed off on a sewer system”. When examining SCZ-10-5, Dwight Lind had performed some soil evaluations, but no system or permit was present.

Mr. Hoops, in examining the documents does not see where the previous Clerk had approved a mound system, versus attaching to the CDSSD system, Further, because the property is clearly within the CDSSD a mound permit cannot be issued.

After once again admitting that they have not constructed a mound system on the property, Charles Linden asked that as we speak with our attorney on this matter that we ask the following questions:

1. Can we (Lindens and Nordines) take their 40 acres out of the CDSSD and the North Shore Management District?
2. Can we install the CDSSD system ourselves?
3. Can we obtain a variance to install a mound system versus hooking to the CDSSD?
4. Can we pump our sewage back up into the "back 40 acres" that is just outside of the CDSSD?

Hoops requested that they present their requests in writing.

Hoops asked if they would want to hook up to the CDSSD utilizing a gravity system. Mr. Linden answered "No".

Discussion continued with how much a CDSSD connection would cost. Mr. Linden was informed that the Township staff installs the grinder station and utilizes Wenck Engineering for engineering services.

Mrs. Norine asked if we would be receiving a report back from our attorney in writing. Mr. Hoops indicated that he would be discussing issues with the attorney, but any opinions offered or remarks made would be between the Board and our attorney. However, any discussions held during our open meetings would be of course public. Mr. Hoops again asked that the Lindens make their requests in writing.

#### **DELINQUENT ACCOUNTS:**

One active accounts was past due as of 08-31-2013; the Scott Roen property. The district's previously past due PID's – Special Assessments have all been paid in full; some \$20,000. The Tidball property has been shutoff and is no longer incurring fees.

Hoops made a motion, second by Lampart, to approve the delinquency report as presented. Motion carried.

#### **OLD BUSINESS:**

None

#### **NEW BUSINESS:**

A discussion was held regarding having only the Township be approved to perform the sewer installations. Hoops pointed out that as installations occur, the Township needs to be present anyway. The Township ultimately approves the work and is responsible for all future repairs. We own the installation, so we may as well control and perform the installation, as oppose to coordinating with an outside installer.

Hoops made a motion, second by Lampart, that all future sewer installations and repairs to be performed by the Town of Silver Creek Subordinate Sewer District – CDSSD – personnel. The Township shall be responsible for all piping and installation of the grinder station up to and including the grinder station from the District's sewer system. The property owner is to be responsible for all electrical wiring and connections, supplying of the piping and the installation of the piping that runs from the grinder station back to the building/structure(s). Motion carried.

RESOLUTION 2013-9

Silver Creek Township, Lake County, Minnesota

**A RESOLUTION APPROVING ALL SEWER INSTALLATIONS TO BE PERFORMED BY THE TOWN OF SILVER CREEK SEWER DISTRICT PERSONNEL**

**WHEREAS**, an employee of the Town of Silver Creek Sewer District is always present during sewer installations, and

**WHEREAS**, the Town of Silver Creek is ultimately responsible for all sewer installations and maintenance of all sewer stations, and

**WHEREAS**, the Town of Silver Creek owns all sewer systems, including the grinder station back to the main sewer facility after installation occurs, and

**WHEREAS**, the property owner is responsible for the purchasing of all sewer piping, electrical wiring running from the grinder station back to the building/structure and the grinder station itself, and

**WHEREAS**, the property owner is responsible for the installation of all sewer piping, and electrical wiring running from the grinder station back to the building/structure, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of Silver Creek does hereby declare that all future sewer installations and repairs are to be performed by the Town of Silver Creek Subordinate Sewer District – CDSSD – personnel. The Township shall be responsible for all piping and installation of the grinder station up to and including the grinder station from the District’s sewer system. The property owner is to be responsible for all electrical wiring and connections, supplying of the piping and the installation of the piping that runs from the grinder station back to the building/structure(s).

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

Adopted by the Silver Creek Town Board this 3<sup>rd</sup> day of September, 2013,

Signed by: \_\_\_\_\_  
Chairperson

Attested to by: \_\_\_\_\_  
Town Clerk

Supervisor Lampart and Hoops – Voting Yes  
Supervisor Hull – Voting – Absent

**CASTLE DANGER LAND USE:**

The following land use permits were reviewed:

- Michael Hoops – Storage Shed SCZ-13-1
- Mike & Julie McLaughlin – New Cabin – SCZ-13-2
- Gregory Thornton – Addition – SCZ-13-3
- Fred Whitney – Storage Shed SCZ-13-4
- Jon and Barbara Norine – New Garage SCZ-13-5

**STEWART RIVER WASTEWATER PROJECT:**

The minutes are on the website with the Wenck update.

**ADJOURN:**

Lampart made the motion to adjourn at 8:43 p.m., second by Hoops. Motion carried.

Respectfully submitted,  
Frederick R. Whitney, Clerk