

TOWN OF SILVER CREEK  
REGULAR MEETING  
December 17, 2013

The regular meeting of the Town Board of the Town of Silver Creek was held on Tuesday December 17, 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 6:00 p.m.

**CONSTITUENTS CONCERNS:**

None

**STEWART RIVER SUBORDINATE SEWER DISTRICT:**

Eric Blasing from Wenck Engineering provided an email to the Board indicating that they continue to work on the application, as well as he has submitted “flow and loading estimates” to pre-treatment system manufacturers for cost proposals. They may come to our January meeting.

The Duluth Archaeological Center agreement was presented by the Clerk, which is asking for the Clerk’s signature.

Hoops made a motion, second by Hull, directing the Clerk to sign the Duluth Archaeological Center agreement for their Phase 1A work that is “not to exceed” the amount of \$4,818.83. Motion carried unanimously.

**REVIEW MINUTES:**

Motion by Lampart, second Hull to accept the 11/19/2013 Regular meeting minutes as amended. Motion carried unanimously.

Motion by Hoops, second Hull to accept the 12/10/2013 CDSSD Quarterly meeting minutes as presented. Motion carried unanimously.

Motion by Hoops, second Hull to accept the 12/10/2013 Board of Adjustments Wakefield Variance Hearing minutes as presented. Motion carried unanimously.

**ASPEN ROAD ALTERATION HEARING:**

The process servers in Florida did not serve the Notice of Hearing to the Saur’s in sufficient enough time before the hearing date;10 days. When contacted by the Clerk, Lyle Saur indicated that he wanted the full 10 day notice period and would not agree to waive. Therefore, we needed to cancel the hearing. Via a letter, Mr. Saur requested that the hearing be rescheduled to sometime in June 2014. When contacted, our attorney indicated that we should proceed as scheduled, sometime in February 2014, after Rick Grupe’s return from vacation.

Hoops made a motion, second by Lampart, setting February 11, 2014 at 6:00 p.m. at the Town Hall as the hearing date and location for the Aspen Road Alteration hearing. Motion carried unanimously.

The Board directed the Clerk to serve the “Notice and Order for Hearing” to the affected parties – Duane and Robin Ricard, Lyle and Patricia Saur and to provide Affidavits of Personal Service. The Board directed the Clerk to publish the “Notice and Order” in the Town’s official newspaper – North Shore Journal – at least 10 days prior to the hearing, and to post the notice on the Town’s website and bulletin board.

### **TREASURER'S REPORT:**

TTOSC Lake Bank Balances: \$665,590.39 which balances to CTAS without any errors.

Motion by Hull, second Hoops to accept the November 2013 Treasurer Report as presented. Motion carried unanimously.

Motion by Hoops, second Lampart to transfer \$40,000 from savings to checking as per the Treasurer's request. Motion carried unanimously.

### **READING OF THE BILLS:**

Current month's bills were read. Motion by Lampart, second Hull authorizing payment of claims #3636 - 3666 and electronic funds thru 12-17-2013. Motion carried unanimously.

### **CORRESPONDENCE:**

Lake County Sex Trafficking Task Force – an invitation to their presentation on January 7, 2014.

Lake County Land Use applications: Schmitz

CO-OP Light and Power patronage allocation notices

CO-OP Light and Power Christmas card

MN Rural Water – eMail requesting a letter from us addressing our support and appreciation of MN Rural Water – Hoops indicated that he will follow up on the request.

### **ROAD & SAFETY:**

Road Foreman Grupe indicated that the large tank has arrived which will be for our chloride road treatments. Snow has created some overtime. Jason is working out just fine. Grupe did believe we should place on our future capital purchase list a power angle V-Plow for the loader, along with a broom attachment and a skid steer.

Operator health insurance coverage was discussed. The Group premium would be \$7,280 per year; however, if Jason obtains coverage directly, the cost may be a bit higher, or lower. The Clerk will update all Board members as to what the direction will be. He will also provide the final costs.

Hull made a motion, second by Hoops, directing the Clerk to make sure Jason obtains health insurance coverage either through our group plan, or by Jason obtaining coverage himself. In either case, the Clerk is authorized to approve an annual premium or compensation increase in order to pay for the insurance coverage. Motion carried unanimously.

### **RECESS:**

Hull made a motion, second by Lampart to recess at 7:43 pm. Motion carried unanimously.

Hoops called the meeting back in order at 7:48 pm.

### **OLD BUSINESS:**

- DAC agreement – Approved for signature earlier.
- Phased Retirement PERA Option – Road Foreman. 1041 hours maximum per year under a year by year agreement with the Town. Grupe is considering this approach as opposed to a full retirement. Perhaps we utilize this option and only have a part time road foreman. The Clerk was directed to investigate the process and required paperwork for the phased retirement option.
- Denver Hull has withdrawn his name regarding the bid process for a new automated sewer control panel and system in the pump building.
- Tidball property permit violations were discussed. Town attorney informed the Clerk that a cease and desist order could be placed upon the property by the County. We need to write a letter of all permit violations, along with the DNR issue on the retaining wall and submit to the County for enforcement. The Clerk and Chairman will create the letter and submit to the County.

**NEW BUSINESS:**

- Meeting dates and times for 2014 were presented and discussed. Adjustments were made.

Hull made a motion, second by Lampart approving the meeting dates and times as amended. Motion carried unanimously.

2014 BOARD MEETING DATES

TUESDAYS AT 6:00 P.M. (except where noted) AT THE TOWN HALL

January 21, 2014	_	Regular
February 11, 2014	_	Budget & Levy working meeting <b>4:00 P.M.</b>
February 18, 2014	_	Regular (Board of Audit to meet during this meeting)
March 4, 2014	_	Castle Danger
March 11, 2014	_	ANNUAL TOWN ELECTION – Noon To 8:00 p.m.
March 11, 2014	_	ANNUAL TOWN MEETING – <b>8:15 P.M.</b>
March 18, 2014	_	Regular
April 8, 2014	_	Rate Hearing
April 15, 2014	_	Regular
May 20, 2014	_	Regular <b>7:00 P.M.</b>
June 3, 2014	_	Castle Danger <b>7:00 P.M.</b>
June 17, 2014	_	Regular <b>7:00 P.M.</b>
July 15, 2014	_	Regular <b>7:00 P.M.</b>
August 19, 2014	_	Regular (reconvene annual meeting if needed) <b>7:00 P.M.</b>
September 2, 2014	_	Castle Danger <b>7:00 P.M.</b>
September 16, 2014	_	Regular <b>7:00 P.M.</b>
October 14, 2014	_	Regular <b>7:00 P.M.</b>
November 18, 2014	_	Regular
December 9, 2014	_	Castle Danger
December 16, 2014	_	Regular

- MAT – Omnibus Transportation Finance Bill Resolution. MAT is requesting the Town’s support of the omnibus bill.

Resolution 2013-10

Resolution In Support of a Comprehensive Omnibus Transportation Finance Bill

Whereas, well maintained and safe roads are essential to the economic health of the State by providing good paying jobs as well as a means of getting products to market, and access to housing, health care, educational facilities, recreational and other assets; and

Whereas, townships in Minnesota are responsible for maintaining approximately 56,000 miles of road and 6,000 bridges, representing approximately 40% of the total road miles in the Statewide system; and

Whereas, townships collectively spend over 50% of their cumulative budgets on road and bridge maintenance expenses; and

Whereas, property taxes represent the primary source of revenues for townships; and

Whereas, despite the best efforts of townships and other road authorities across the State, rural roads in Minnesota have recently been rated among the worst in the nation; and

Whereas, a recent review of the needs of State and local road authorities revealed a 20-year need in excess of \$50 billion; and

Whereas, for every year a transportation project is delayed due to inadequate funding, the cost of the project increases significantly; and

Whereas, bonding dollars are useful supplements to address particular projects, they do not provide a source of the on-going new revenues needed to meet the growing transportation needs around the State; and

Whereas, the members of the Minnesota Association of Townships (MAT), a voluntary membership organization currently representing all but two of the State's nearly 1,800 townships, have long supported sustainable funding from the State to support road maintenance efforts, including periodic increases to the gas tax and other revenue sources; and

Whereas, gas tax revenues are constitutionally dedicated for road purposes through the Highway User Trust Fund (HUTF), and a portion of these funds are set aside for township road purposes, the only dedicated funding for roads towns receive; and

Whereas, townships recognize that transit options are important for many other communities in both metropolitan and rural areas of the State; and

Whereas, the best approach to funding both roads and transit needs is for the interested parties to work collaboratively towards equitable funding for both roads and transit; and

Whereas, a financing package that funds only roads or only transit, or that provides funding to some road authorities but not others, creates a divide that pits local units of government against each other and provides a disservice to the residents of the State;

Therefore be it resolved that Silver Creek Township, Lake County, hereby encourages the 2014 Minnesota State Legislature to pass, and Governor Dayton sign into law, a comprehensive Omnibus Transportation Finance Bill that provides increased, dedicated and sustainable funding to equitably address the transportation and transit needs of Counties, Cities and Townships.

Adopted December 17, 2013

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Chairperson

  
Clerk

Hoops made a motion, second by Hull approving the resolution as presented. Motion carried unanimously. Hoops, Hull and Lampart voting YES, none voting No.

- Lake Bank ACH authorization agreements. The Clerk presented the annual agreements and requested signatures.

Hoops made a motion, second by Lampart authorizing the signing of the Lake Bank ACH authorization agreements. Motion carried unanimously.

- Lampart updated the Board as to costs for installing a new outlet on the ice rink pole.

Hoops made a motion, second by Hull authorizing the expenditure of \$500 for the upgrade to wiring and installation of a lockable outlet on the ice rink power pole. Motion carried unanimously.

Hoops made a motion, second by Lampart authorizing the charge of \$90 to the THUGS for their Town Hall rental in August 2014 for their annual event. Motion carried unanimously.

There being no further business, meeting adjourned at 8:46 p.m. upon motion by Hull, second Hoops. Motion carried unanimously. The next regular meeting of the Town Board will be held on Tuesday January 21, 2014 at 6:00 p.m. at the Town Hall.

Respectfully submitted  
Frederick R. Whitney, Clerk