

TOWN OF SILVER CREEK
REGULAR MEETING
January 21, 2014

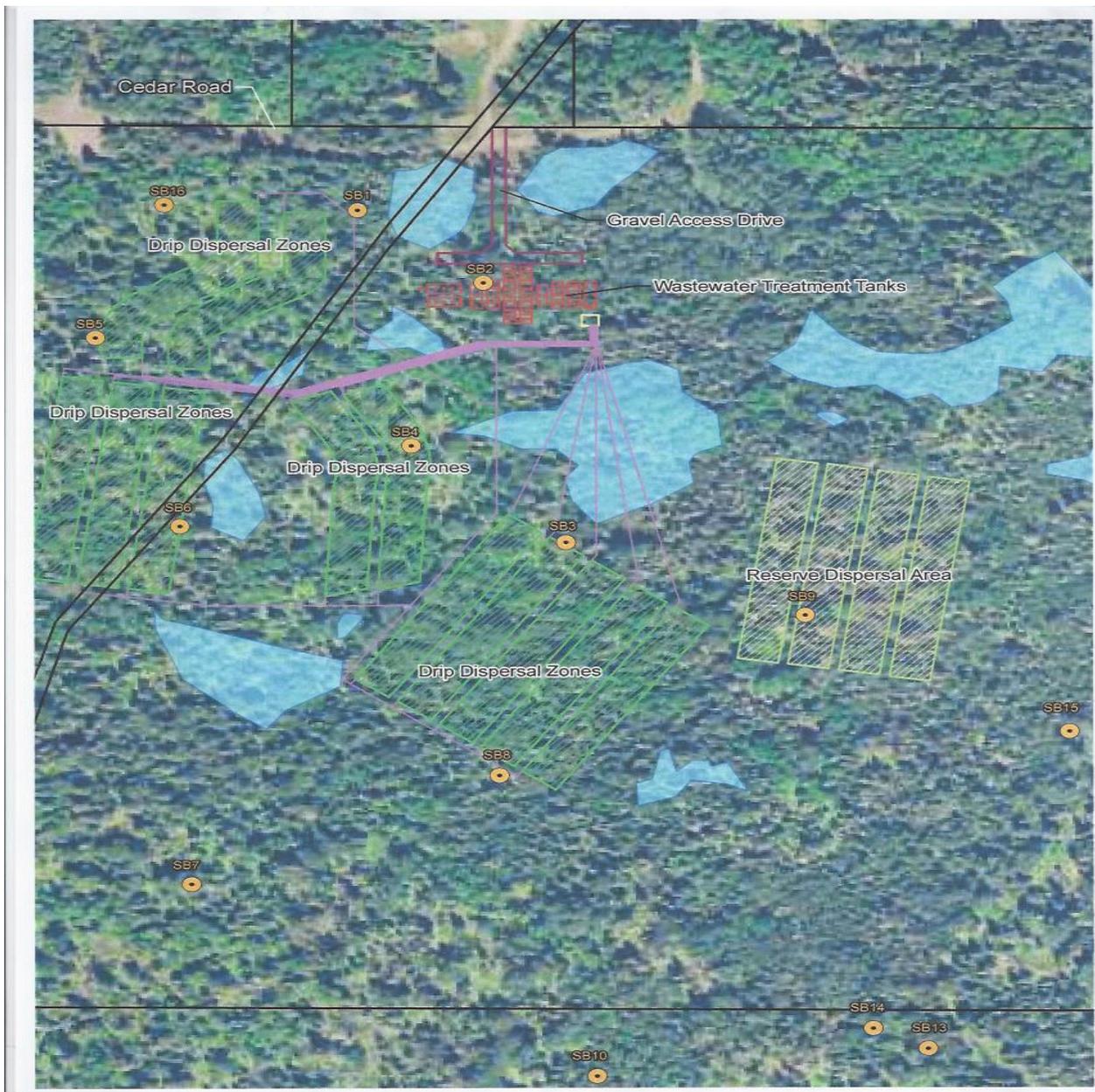
The regular meeting of the Town Board of the Town of Silver Creek was held on Tuesday January 21, 2014 at the Town Hall. Present were Supervisors – Mike Hoops, Greg Hull and Larry Lampart; Clerk – Frederick R. Whitney; Treasurer – Bobbi Gilbert.

Hoops called the meeting to order at 6:05 p.m.

CONSTITUENTS CONCERNS:
None

STEWART RIVER SUBORDINATE SEWER DISTRICT:

Hoops updated the Board regarding his meeting with Wenck Engineering. The wetland delineation is complete; document was presented and is in Clerk's office. A map of the proposed site and building locations was reviewed; map is located in Clerk's office.



The FAST (Fixed Asset Sludge Treatment) system is being proposed due to the lack of ponding acreage and carries the lowest overall operational costs. Ongoing operational costs are estimated to be \$150,000 per year. Total system construction cost estimates and possible funding scenarios were presented and discussed. The \$11.9 Million price would include all construction of the system, the plant, as well as the drip lines. Not including a potential grant from IRRRB, there are two grants available for this project; one that is 50% of overall costs, followed by an additional 50% of the remaining costs. From there, fees assessed to residents are in line with projected goals; \$1,234 per year, per EDU (Household).

Lampart made a motion, second by Hoops to instruct Wenck Engineering to move ahead with the FAST system and the PPL application so that it meets the March 1, 2014 submission deadline. Motion carried unanimously.

Hull made a motion, second by Lampart directing the Clerk to transfer \$1,000 of the sewer truck costs from the Road & Bridge fund to the Sewer fund. Motion carried unanimously.

REVIEW MINUTES:

Motion by Hoops, second Hull to accept the 12/17/2013 Regular meeting minutes as amended. Motion carried unanimously.

TREASURER'S REPORT:

TTOSC Lake Bank Balances: \$803,568.64 which balances to CTAS without any errors.

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

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

The Clerk updated the Board regarding the US Bank "Gordon Variance Violation" CD that matured on 01-15-14. The Clerk has changed the term to a 12 month, from a 27 month as approved by the Chairman. The interest rate will be .1004 APR.

READING OF THE BILLS:

Current month's bills were read. Motion by Hull, second Lampart authorizing payment of claims #3667 - 3706 and electronic funds thru 01-21-14. Motion carried unanimously.

CORRESPONDENCE:

Lake County Planning & Zoning: Conditional use permits - Johnson, Udenberg, Ryder.

Lake County Planning & Zoning: Minutes

Lake County Land Use applications: Hubbard

Sex Trafficking Awareness Month January 2014 Proclamation

ROAD & SAFETY:

Road Foreman Grupe was on vacation. Hoops and Whitney indicated that Jason is doing a good job. No complaints have been received. Ken is assisting Jason with the grader work as snow falls, or ice needs to be scraped. Sewer work has been quiet, and measurements are being made.

OLD BUSINESS:

- Whitney encroachment complaint – Hoops indicated that he had a meeting with a potential buyer of the Tidball/Wells Fargo property at 2764 Highway 61. Hoops had informed Mr. Derrick Passe that the Town was in the process of placing a Cease and Desist order upon the property for several permit violations. Hoops indicated that Mr. Passe was shown documents identifying the violations. After the meeting, Mr. Passe sent Hoops an email that he had presented an offer for the purchase subject to "no structural modifications". Hoops read the email, and the Chairman's response, to the Board. Hoops indicated that we need to make sure someone

takes responsibility for the permit violations, and remedies are made. The Board agrees that the Chairman and Clerk should work with the Town attorney to resolve the issue.

RECESS: The Board recessed at 8:08 and resumed at 8:15.

- The In-Control bids for the CDSSD irrigation monitoring system were discussed. It was the general opinion of the Board to go back to In-Control with further modifications to their bid.

Motion by Hull, second by Lampart to approve a \$17,500 budget for the upgrade to the CDSSD irrigation monitoring system, and to direct Hoops to obtain any further bids that will fall under this amount. If it is found that the approved budget is not sufficient, than Hoops is to return to the Board for further discussions. Motion carried unanimously.

- Road Foreman's performance review was reviewed.

Motion by Hoops, second by Hull accepting the performance review and that we approve a 2% of base annual pay achievement award. Motion approved unanimously.

The Clerk presented an update as to the PERA Phased Retirement option. This option has a sunset with the State of June 2014. However, if we are in an agreement with Rick prior to June 2014, he will be grandfathered for the full 5 years.

Motion by Hull, second by Lampart directing the Chairman, acting as our Personnel Director, to implement a phased retirement agreement with Rick Grupe. Motion carried unanimously.

- The Clerk updated the Board with the progress of Jason Barnard's health insurance. Jason has opted out of our Group Plan and is now covered with Blue Cross. As Rick returns from vacation, we will be working with Rick to finalize his options.
- The Clerk's hours were discussed. The Clerk presented his timesheets for 2012 and 2013. Monthly average is 86.65. It was noted that the Cross cartway has required over 43 hours and Land Use has taken over 88 hours of the Clerk's time in 2013.

Hull made a motion, second by Lampart to raise the Clerk's monthly wage to \$1,650 retroactively to 01-01-14 and to direct the Clerk from here on out, to track his hours spent outside of meetings, (for which he is already compensated), related to cartway and land use proceedings. Further, the Clerk is to be paid \$25 per hour for those hours, the funds of which will be paid out of cartway and land use fees. Motion carried unanimously.

A discussion followed as to how to collect more fees for land use operations. With Stewart River Subordinate Sewer District coming online, there will be an increase to land use permitting and proceedings. Do we increase land use fees? Do we increase the fee assessed to CDSSD? Do we levy an amount? How much? Discussion will continue at our budget meeting.

Hoops made a motion, second by Lampart for the Chairman to work with the Town attorney regarding land use enforcement within CDSSD and SRSSD. Motion carried unanimously.

- The Certificate of Appointment for Kristina F. Pirsig, Deputy Clerk (hired 01-21-14), was formally presented. Her wage of \$10.50 per hour, which had been previously authorized by the Board, was noted.
- Supervisor Lampart left the meeting due to illness.

NEW BUSINESS:

- Motion by Hull, second by Hoops to approve the 2014-1 Resolution Appointing Election Judges and Absentee Ballot Board for the March 11, 2014 elections as presented. Motion carried.

**RESOLUTION APPOINTING ELECTION JUDGES
AND
ABSENTEE BALLOT BOARD
FOR
MARCH 11, 2014 TOWNSHIP ELECTION**

2014-1

Town of Silver Creek Resolution # 2014-1 Appointing the 2014 Absentee Ballot Board

Whereas, Minnesota Statutes Section 203B.121, subd.1 requires the Town Board, as the governing body of the Town, to appoint a ballot board to process all absentee ballots returned to the Town Clerk for the town election scheduled to be held on Tuesday, March 11, 2014 ; and

Whereas, the ballot board must consist of election judges trained in the handling of absentee ballots, or staff trained as election judges; and

Whereas, even though only two members are required to meet whenever an absentee ballot needs to be processed, the ballot board must consist of at least the same number of members as the minimum number of required election judges for the town election, which pursuant to Minnesota Statutes Section 204B.22 has been determined to be 3 for the March 11, 2014 election for the Town of Silver Creek; and

Whereas, the Town Board for the Town of Silver Creek has appointed its election judges for the March 11, 2014 election as required by Minnesota Statutes Section 204B.21;

Laura Kleive, Wendy Langanki, Nancy Mancini, Tamera Martineau, Sue Hilliard, Kristina Pirsig

Now Therefore Let It Be Resolved: That the Town Board for the Town of Silver Creek hereby appoints the following election judges to serve as the ballot board required to perform all duties required in the processing of absentee ballots required under Minnesota Statutes Section 203B.121 and all other applicable statutes and rules:

Laura Kleive, Wendy Langanki, Nancy Mancini, Tamera Martineau, Sue Hilliard, Kristina Pirsig

Be It Further Resolved: That the Town Board of the Town of Silver Creek hereby authorizes any member of the ballot board to be compensated as required by Minnesota Statutes Section 203B.121, when said member performs any required duty of the ballot board.

Be it further resolved: That the Town Clerk may appoint additional election judges, as well as absentee ballot board members, as needed.

Adopted by the Silver Creek Town Board, January 21, 2014

Signed by:

Attested to by:

Chairperson

Town Clerk

Voting Yes: Supervisor Hoops and Supervisor Hull; Supervisor Lampart absent.
Voting No: None

- The Clerk presented the "Nonaudit Services" letter from our auditors Walker, Giroux & Hahne, Ltd. which identifies the Town Board to be responsible and accountable for overseeing the nonaudit services and that the Clerk has been designated by the Board to be responsible and accountable for overseeing these services for the Board.

Hull made a motion, second by Hoops directing the Chairman to sign the letter and approving the Clerk as their designee. Motion carried.

- The Clerk presented the audit confirmations and deposit verification letters to be sent to our financial representatives as a part of the 2013 audit by WGH.

Hull made a motion, second by Hoops authorizing the signing of the deposit audit confirmations by the Chairman. Motion carried.

Hoops made a motion, second by Hull authorizing the signing of the loan audit confirmations by the Clerk. Motion carried.

There being no further business, meeting adjourned at 9:24 p.m. upon motion by Hull, second Hoops. Motion carried unanimously. The Board will next meet for a budget work session on February 11, 2014 at 4:00 p.m. The Board will meet again for the Aspen Road Alteration hearing on February 11, 2014 at 6:00 p.m. The next regular meeting of the Town Board will be held on Tuesday February 18, 2014 at 6:00 p.m. at the Town Hall.

Respectfully submitted
Frederick R. Whitney, Clerk