

TOWN OF SILVER CREEK
REGULAR MEETING
February 18, 2014

The regular meeting of the Town Board of the Town of Silver Creek was held on Tuesday February 18, 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 6:00 p.m.

CONSTITUENTS CONCERNS:

None

STEWART RIVER SUBORDINATE SEWER DISTRICT:

Hoops updated the Board regarding his site visit of the FAST system that is being proposed. The application process proceeds. An email from Eric at Wenck was reviewed:

- (1) *A wastewater system site visit was conducted on 2/17/2014 with Mike Hoops, Eric Blasing, Pete Daniels, and Tony Birrittieri in Lake Elmo, MN. The system includes a drip dispersal soil infiltration component and aerobic treatment unit (ATU) pretreatment component. The system is designed to treat 29,000 gpd with a total nitrogen limit of 10 mg/L end-of-pipe. This system is one being analyzed within the PER and Facility Plan reports. Tony is the system operator and led the visit.*
- (2) *The MPCA Facility Plan report is due March 7th. The PER does not have a deadline. Wenck has conducted the alternatives analysis and is finalizing the Facility Plan and PER reports. Alternatives and costs were discussed with Mike on January 15.*
- (3) *When the reports are finalized, Wenck will again contact Rural Development and PFA with updated costs and moving forward with funding discussions.*
- (4) *The environmental report is being prepared. Governmental agencies have been contacted and we are awaiting their response. The PER and ER will be sent to Rural Development once all agencies have responded to the proposed project.*
- (5) *I have been responding to questions from the Duluth Archaeology Center the past several weeks. Their report will be completed this month; likely this week.*

Thanks, **Eric**

The Board discussed all of the Stewart River costs expended to date; \$181,844.05. To that end, the Board wished to begin a budget and levy for the SRSSD, to be levied against the SRSSD EDU's, as oppose to the entire tax base.

Hull made a motion, second by Hoops, to create SRSSD budget line items, for 2015, as follows - \$20,000 for Debt Service and \$10,000 for Enterprise Fund. Motion carried unanimously.

Hull made a motion, second by Hoops, to create a new SRSSD development tax levy of \$30,000 to be levied 2015, payable 2016. Motion carried unanimously.

CASTLE DANGER SUBORDINATE SEWER DISTRICT:

Hoops indicated that he will be out of town for the March 4th quarterly meeting. Hull will chair the meeting, but had indicated that he may now have a conflict. He will inform the Clerk of any issues. Hoops indicated that he is obtaining more bids for the filter/pump building. The Clerk updated the Board regarding the Wakefield property. Soil and Water has found a \$25,000 grant to be used for bank stabilization. The Clerk will work get the Wakefield's and Soil and Water together.

REVIEW MINUTES:

Motion by Lampart, second Hull to accept the 01/21/2014 Regular meeting minutes as amended. Motion carried unanimously.

Motion by Hull, second Lampart, to accept the 02/11/2013 Budget & Levy work meeting minutes as amended. Motion carried unanimously.

Motion by Hull, second Hoops, to accept the 02/11/2013 Aspen Road Alteration Hearing minutes as presented. Motion carried unanimously.

TREASURER'S REPORT:

TTOSC Lake Bank Balances: \$747,667.50 which balances to CTAS without any errors.

Motion by Hull, second Hoops to accept the January 2014 Treasurer Report as presented. Motion carried unanimously.

Motion by Hoops, second Lampart to transfer \$75,000 from savings to checking as per the Treasurer's request. Motion carried unanimously.

BOARD OF AUDIT:

The Town of Silver Creek Financial Record for 2013 was presented to the Board of Audit. The Board reviewed the financial record. The Clerk discussed the work conducted along with the Town Treasurer prior to submitting the final record.

Motion by Hull, second Lampart to accept the 2013 Financial Record. Motion carried unanimously.

The Clerk was directed to have the multiple copies made of the financial record and bound; record to be made available to any concerned constituent, the State Auditor and our Internal Auditors.

READING OF THE BILLS:

Current month's bills were read. An error was detected within the Board payroll. The Clerk excused himself to void the incorrect payroll and create a corrected version.

Motion by Lampart, second Hull authorizing payment of claims #3707 - 3840 and electronic funds thru 02-18-14, with the exception on the payroll. Motion carried unanimously.

The corrected payroll was presented and approved upon the Clerk's return.

CORRESPONDENCE:

Lake County Planning & Zoning: Conditional use permits – North Shore Beach.

MAT Spring short courses brochure.

Allied Generator – quote for 2 auto-transfer switches; installation to our two generators for CDSSD. The generator quote was discussed.

ROAD & SAFETY:

Road Foreman Grupe indicated that Jason was going to a pump training workshop the next day. He updated the Board on road conditions. Loader boom mower bids were discussed, as well as bids for an angle V-Plow and sweeper.

Hoops made a motion, second by Lampart, authorizing the Road Foreman to purchase a 12 foot Sweepster power angle broom loader and necessary valve sections for the total amount of \$22,500. Motion carried unanimously.

Due to the significant costs and that we are early in the season, the Board decided to revisit the Angle V-Plow later in the season; July/August.

RECESS: The Board recessed at 8:15 pm and then reconvened at 8:20 pm.

OLD BUSINESS:

- Aspen Road Alteration – The Clerk presented to the Board their “**Resolution # “2014-2 Alteration of Aspen Road”**”.

Hoops made a motion, second by Hull, passing the Board Resolution 2014-2. Motion carried unanimously.

Voting was as follows:

<i>Town Supervisor</i>	<i>Yes</i>	<i>No</i>
<u>Michael Hoops</u>	<u>X</u>	
<u>Greg Hull</u>	<u>X</u>	
<u>Larry Lampart</u>	<u>X</u>	

The Clerk presented to the Board their “**Road Order Altering Aspen Road**”.

Hoops made a motion, second by Hull, approving the Road Order Altering Aspen Road. Motion carried unanimously.

The Clerk presented to the Board their “**Award of Damages – Aspen Road**”. Even though no damages were awarded, the Award of Damages document is required.

Hoops made a motion, second by Hull, awarding zero damages to Duane Ricard, Robin Ricard, Lyle Saur and Patricia Saur for the Aspen Road Alteration. Motion carried unanimously.

The Clerk informed the Board that all three documents will be sent within 7 days to Duane Ricard, Robin Ricard, Lyle Saur and Patricia Saur via separate certified mailings. The parties will then have 40 days from February 18, 2014 to appeal.

- Tidball / Wells Fargo – 2764 Highway 61 – Property permit violations – Hearing request. The Deputy Land Administrator presented a listing of land use violations for this property, as well as gross errors identified within the building permit applications that had been submitted for this property.

The Board received the listing, the maps presented, as well as the building applications and agreed that there appear to be violations.

Hull made a motion, second by Lampart indicating that the Board believes that there are land use violations involving this property. Further, to direct the Deputy Land Administrator and Chairman to work with the Town Attorney as to what remedies are available for the Board to act upon at a future hearing that will be set at its next regular meeting. It is the desire that this range of remedies be presented at the March 18, 2014 regular meeting. Motion carried unanimously.

- The Allied Generator transfer switch bid was discussed. This purchase of transfer switches had been previously recommended and approved by the Board. Grupe indicated that he would run the bid by a local electrician for review and that he would confirm whether that it included both generators as well as no charge for sales taxes.

Hoops made a motion, second by Lampart approving the purchase and installation of the generator transfer switches for a total cost of \$12,175. Motion carried unanimously.

- Hoops discussed that he now had two bids in hand, with a third bid coming regarding the pump room control systems. The price has been coming down.

NEW BUSINESS:

- Lampart made a motion, second by Hull, setting May 8, 2014 at 1:00 p.m. as the Board of Appeals and Equalization hearing. Motion carried unanimously.
- Hull made a motion, second by Lampart, setting May 8, 2014 at 7:00 a.m. as the annual Board Road Tour. Motion carried unanimously.

- The Board directed the Clerk to work with the Chairman to complete the negotiations and paperwork regarding the Planned Phased Retirement agreement between the Town and our Road Foreman.

There being no further business, meeting adjourned at 9:10 p.m. upon motion by Lampart, second Hull. Motion carried unanimously.

The annual Town meeting will be held at 8:15 p.m. on March 11, 2014. The next regular meeting of the Town Board will be held on Tuesday March 18, 2014 at 6:00 p.m. at the Town Hall.

Respectfully submitted
Frederick R. Whitney, Clerk