

TOWN OF SILVER CREEK  
REGULAR MEETING  
APRIL 15, 2014

The regular meeting of the Town Board of the Town of Silver Creek was held on Tuesday April 15, 2014 at the Town Hall. Present were Supervisors – Mike Hoops, Greg Hull, Larry Lampart; Treasurer – Bobbi Gilbert; Clerk – Frederick R. Whitney; Road Foreman – Rick Grupe; Heavy Equipment Operator – Jason Barnard; Lake County Commissioner – Brad Jones.

Hoops called the meeting to order at 6:00 p.m.

**CONSTITUENTS CONCERNS:**

None

**LAKE COUNTY ATV TRAIL UPDATE:**

Brad Jones, County Commissioner, discussed the ATV Trail money that will be received from the IRRRB for the completion of the ATV project which will link Two Harbors to the Silver Bay ATV trails, as well as the Cook County trail system. The County is requesting the Township of Silver Creek to be the fiscal agent for the remaining funds. Further, the County would not hold the Township liable for any costs relating to this project. Discussion continued.

Hoops made a motion, second by Lampart to identify the Town of Silver Creek as fiscal agent for the "IRRRB ATV Trail Completion Project" funding and to direct the Town Clerk as its agent. Motion carried unanimously.

Jones indicated that the Lake County Comprehensive Trail Plan is online at the County website, as well as the draft copy of the new plat book. Jones updated the Board regarding the fiber project. The pole situation continues to be a problem. The CO-OP has charged the project over \$1.2 Million dollars indicating that their current poles which are substandard cannot support the additional fiber cable so many need to be replaced. Additionally, Lake Connections will be charged "pole fees" in order to utilize the poles. With this increased cost and delay, Lake Connections has decided to run more of the fiber underground, avoiding additional pole fees and pole replacement costs. Having said that, Silver Bay will be "lighted up" at the end of the month and customers are being connected.

**REVIEW MINUTES:**

Motion by Hull, second Lampart to accept the 3/18/2014 regular meeting minutes as presented. Motion carried unanimously.

Motion by Hoops, second Hull to accept the 3/18/2014 Quarterly CDSSD meeting minutes as presented. Motion carried unanimously.

Motion by Lampart, second Hull to accept the 4/8/2014 CDSSD Rate Hearing minutes as presented. Motion carried unanimously.

**TREASURER'S REPORT:**

TOSC checking: \$57,996.58 and TOSC savings: \$701,207.01 for a total of \$759,203.59. Motion by Hoops, second Lampart to transfer \$50,000 from savings to checking as per the Treasurer's request. Motion carried unanimously. Motion by Hull, second Lampart to accept the March 2014 Treasurer Report as presented. Motion carried unanimously.

**DEPUTY COUNTY ASSESSOR:**

Matt Miller presented a briefing in preparation of our May 8, 2014 Board of Equalization hearing. Only 3 properties have contacted the assessor who feels that solutions will be obtained.

## **READING OF THE BILLS:**

Current month's bills were read; claims 3879 thru 3913. Motion by Lampart, second Hull authorizing payment of the bills and electronic funds. Motion carried unanimously.

## **CORRESPONDENCE:**

Social Security Administration – A SSA letter was read indicating that Frederick R. Whitney had been added, removing Wendy Langanke, as the Town's agent for W2 and 1099 electronic submittals each year, as well as the contact person for SSA and Silver Creek.

LAKE COUNTY Planning & Zoning – Interim Use Crosser

Gopher One presentation meeting – April 24<sup>th</sup>.

Letter to State Reps regarding SRSSD project

PFA Annual Audit request

## **RECESS and RECONVENED:**

The meeting was recessed at 8:05 pm and reconvened at 8:10.

## **ROAD & SAFETY:**

Rick updated the Board with current projects. Tanker truck sub-structure is done and is being painted. Proper grinder pump wiring gauge was discussed. 12 gauge is the correct size to be used even though 14 had been previously indicated. The loader attachments were discussed. It was again agreed that the broom and valves are to be purchased now, while the plow purchase would be reviewed in August.

Hull made a motion, second by Lampart for the Road Foreman to look into the purchase of an air-ride seat for the loader, not to exceed \$2,500. Motion carried unanimously.

## **OLD BUSINESS:**

Signatures were obtained for:

- The Lake Bank signature cards
- MAT Officer listing for 2014

The summer ditch mowing bid from Jouppi Forest Products was reviewed.

Hoops made a motion, second by Lampart approving the Jouppi bid of \$125 per hour. Motion carried unanimously.

## **NEW BUSINESS:**

The Lake County Highway Department "Certification of Town Road Apportionment" was presented.

The Chairman was approved to sign.

## **BOARD REORGANIZATION:**

- Motion by Hull, second Lampart nominating Mike Hoops to be Chairman of the Board. Motion carried.
- Motion by Hull, second Hoops nominating Larry Lampart to be Vice-Chairman. Motion carried.
- Hull made the motion, second by Lampart, setting the Wastewater Treatment Facility Operator's hourly rate at \$24.00 per hour. Motion carried. Hoops abstained.
- Motion by Lampart, second Hull that in addition to the hourly wage of the Wastewater Treatment Facility Operator, he also receives \$500.00 per year for mileage driven in his personal truck in conjunction with the position. Motion carried. Hoops Abstained.
- Resolution authorizing contract with interested officer -

**RESOLUTION 2014-5  
RESOLUTION AUTHORIZING CONTRACT  
WITH INTERESTED OFFICER UNDER**

**M.S. § 471.88, Subd. 5**

**WHEREAS**, Town of Silver Creek, Lake County, Minnesota is seeking the performance of the following service:

Wastewater Treatment Facility Operator – 'C' License

**WHEREAS**, Michael Hoops was hired as an employee in the position of Wastewater Treatment Facility Operator prior to being elected to the position of supervisor;

**WHEREAS**, Michael Hoops is a supervisor of said Township and will be financially interested in the contract for the following described reason:

He is directly providing the service as an employee of the Township.

**WHEREAS**, the Town Board advertised in the Lake County Chronicle to fill the position of Wastewater Treatment Facility Operator, and Michael Hoops was the only applicant qualified for the position;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board, upon a vote of the supervisors with the interested officer abstaining, finds that the contract price of \$24.00 per hour is as low as or lower than the price at which the services could be obtained elsewhere at this time;

**BE IT FURTHER RESOLVED**, that the Town Board, pursuant to M.S. §§ 365.37; 471.88, Subd. 5; and 471.89, does hereby authorize a contract with Michael Hoops for a price of \$24.00 per hour. Payment to occur on the contract as agreed and upon the filing of a proper affidavit by the interested officer.

Adopted the 15<sup>th</sup> day of April 2014

Supervisor Greg Hull moved adoption of the foregoing Resolution, seconded by Supervisor Larry Lampart, and upon vote being taken, the same was declared duly adopted upon unanimous ye vote of Supervisors Greg Hull and Larry Lampart. Mike Hoops abstained due to conflict of interest of being an employee and determining the wage for his position.

Greg Hull

Larry Lampart

ATTEST:

Frederick R. Whitney

ABSTAINED-Michael Hoops

- Motion by Hull, second by Lampart, to set the Clerk's monthly base wage at \$1,650. Motion carried unanimously.
- Motion by Hoops, second by Lampart, setting the hourly rate of pay for the Land Use Administrator at \$25 per hour. Motion carried unanimously.
- Motion by Hull, second by Lampart, utilizing the Per Diem Rates for Land Use and Cartway meetings and hearings, as well as Sewer District meetings. Motion carried unanimously.
- Motion by Hull, second by Lampart, setting the hourly rate of pay for the Deputy Clerk at \$10.50 per hour. Motion carried unanimously.
- Motion by Hoops, second Hull to appoint as Board representatives:
  - Hull to the Lake County Emergency Preparedness
  - Lampart to the Lake County Recreation Board and Lake County Forestry Board
  - Hoops to the North Shore Management Board, Tower Committee, Water Plan Committee, Lake County Planning & Zoning and Board of Adjustment meeting attendeeMotion carried unanimously.
- Motion by Lampart, second Hull to adopt the following rates for the Per Diem Policy. Motion carried unanimously.
  - \$235 – Supervisor's wage per month.
  - \$300 – Chairman's wage per month.
  - \$25 – special meetings held 5:00 p.m. or later in conjunction with a regular scheduled board meeting – no paid mileage – this to now include SRSSD & CDSSD meetings
  - \$50 – special meetings held 5:00 p.m. or later not in conjunction with a regular board meeting – mileage paid – this to now include all SRSSD and CDSSD meetings.
  - \$75 – special meetings held during working hours, (6:00 a.m. to 5:00 p.m.) – mileage paid – this to now include SRSSD and CDSSD meetings.
  - \$150 – all day training sessions – mileage paid
- Motion by Hull, second Lampart to set the Election Judge wage, per statutes, at \$10.50 per hour. Carried unanimously.

- Motion by Hull, second Hoops to set the Treasurer's wage at \$250 per month with the mileage reimbursement kept at \$25 per month for a total of \$275 per month averaging 15 hours per month. Carried unanimously.
- Motion by Hull, second by Lampart to pay mileage per IRS regulations; currently at \$.56 per mile. Carried unanimously.
- Motion Lampart, second Hull to keep The Lake Bank as Depository for all Town funds. Carried unanimously.
- Motion by Lampart, second Hull to accept the AWAIR, Policy manual, Resolution Book, and Ordinance Book as presented. Carried unanimously.
- Motion Lampart, second Hull that posting sites be Silver Creek Town Hall and the Silver Creek Web site. Carried unanimously.
- Motion by Hull, second Lampart to have The Northshore Journal remain the Township's Legal Newspaper Publication. Carried unanimously.
- Motion by Hull, second Lampart to keep Gerald Morris as the Township's attorney per the contract originally adopted in 2010. Clerk is to use discretion or to confer with Chairman on when his presence is needed at meetings. Carried unanimously.

There being no further business, meeting adjourned at 9:35 p.m. upon motion by Hull, second Lampart. Carried unanimously. The next regular meeting of the Town Board will be held on Tuesday May 20, 2013 at 7:00 p.m. at the Town Hall.

Respectfully submitted,  
Frederick R. Whitney, Clerk