

TOWN OF SILVER CREEK
REGULAR MEETING
April 21, 2015

The regular meeting of the Town Board of the Town of Silver Creek was held on Tuesday, April 21, 2015 at the Town Hall. Present were Supervisors – Mike Hoops, Greg Hull and Larry Guentzel; Clerk – Fred Whitney; Deputy Clerk – Kristina Pirsig; Treasurer – Bobbi Gilbert; Deputy Treasurer – Jamie Pellman; Road Foreman – Rick Grupe; Constituent: LeRoger Lind

Hoops called the meeting to order at 6:02 p.m.

CONSTITUENTS CONCERNS:

Greg Hull asks Road Foreman Rick Grupe for permission to run trucks while the road bans are on.

Deputy County Assessor: Matt Miller (Not Present)

REVIEW MINUTES:

Motion by Hull, second by Guentzel, to accept the 3/17/2015 Regular Meeting as amended. Motion carried unanimously.

TREASURER'S REPORT:

Discussion was had about the 'Greg's Spreadsheet' and if the ATV money could be moved to either the top or bottom of sheet.

Fred requests that Bobbi send him the worksheet that she is working with and he will update it and check the formulas.

TTOSC checking: \$1,629.78 and TTOSC savings: \$926,771.45 for a total of \$928,401.23.

Motion by Hoops, second by Guentzel to transfer \$30,000 from savings to checking as per the Treasurer's request. Motion carried unanimously.

Motion by Hull, second by Hoops to accept the March 2015 Treasurer Report as presented. Motion carried unanimously.

CORRESPONDENCE:

- Lake County Forestry – Inquiring if we are interested in purchasing any tax forfeit property
- Dale Moe – Invitation to a small business seminar
- Land Use Application – Agate Bay Gun Club and Northern Rail Traincar Suites
- Lake County Planning Commission – Public Hearing
- CenturyLink – Letter about construction season

ROAD & SAFETY:

Road Foreman Rick Grupe handed out a couple of quotes for culverts on Town Road. Grupe advises that those culverts could be replaced this summer if the board wanted.

Motion by Hull, second by Hoops, to approve the expenditures to complete the culvert project on Town Road project, not to exceed \$20,000. Motion approved unanimously.

**Motion by Hull to recess the Regular Meeting at 6:39pm, second by Hoops.
Hoops reconvened the meeting at 7:24pm.**

READING OF THE BILLS:

Current month's bills were read; Claims 4363 to 4407, payrolls and electronic transactions from 3/18/2015 thru 4/21/2015.

Motion by Hull, second by Hoops, authorizing payment of the bills and electronic funds as presented by the Clerk. Motion carried unanimously. Hoops abstained from voting on disbursement # 0423201509 and Guentzel abstained from voting on disbursement # 0416201542.

OLD BUSINESS:

Sign New Signature Cards– Motion by Hoops, second by Guentzel, authorizing the new signatures at Lake Bank for all accounts to be: Michael Hoops, Chair of Town of Silver Creek; Greg Hull, Supervisor of Town of Silver Creek; Larry Guentzel, Supervisor of Town of Silver Creek; Bobbi Gilbert Swartwood, Treasurer of Town of Silver Creek; Frederick Whitney, Clerk of Town of Silver Creek; Krysty Pirsig, Deputy Clerk of Town of Silver Creek; Jamie Pellman, Deputy Treasurer of Town of Silver Creek. Motion approved unanimously.

Review bid for town mowing services –

Discussion was had about the possibility of purchasing a mower for the Township. Hoops got bids for mowers that were approximately \$8,000 for the middle range mower. Hull did a few calculations about the mowing and what it would save us.

Board instructs Clerk to solicit bids for mowing by putting an ad in the Northshore Journal. Also the Board wants to look into the State Contract and see if there is anyone else that we could get a bid from.

Cedar Road Discussion –

Discussion about how we ended up with the property from the Ski Club.

Motion by Hull, Second by Hoops, that the Clerk request that the Town Attorney look into the parcel of property located at the end of the Clark Road that the Town received from the Ski Club and find out about the legal ownership of the property. Motion carried unanimously.

NEW BUSINESS:

Land Use Application: Strengge, B.L. –

They want to build a fence that is 8' high. Whitney suggests that he talks to them and lets them know that the variance will probably be denied but they have the right to still apply for the Variance Hearing. Motion by Hoops, second by Guentzel, if the Variance application is made in a timely manner that the hearing will be scheduled for June 16th in conjunction with our Regular Board Meeting at 7:30pm. Motion carried unanimously.

Board Reorganization:

- **Elect Chairman:** Motion by Hull, seconded by Guentzel to elect Mike Hoops as Chairman. Motion carried unanimously.
- **Elect Vice Chairman:** Motion by Hoops, seconded by Guentzel to elect Greg Hull as Vice Chairman. Motion carried unanimously.
- **Wastewater Treatment Facility Operator – Hourly rate of pay** – Motion by Hull, seconded by Guentzel to set the hourly rate for wastewater treatment Facility Operator at \$24 / Hr. Hoops abstained.
- **Wastewater Treatment Facility Operator – Annual mileage stipend** – Motion by Hull, seconded by Guentzel to set the Annual mileage stipend for the Wastewater Treatment Facility Operator at \$500 / Yr. Hoops abstained.

- **Heavy Equipment Operator – Hourly rate of pay** – Motion by Hoops, seconded by Hull to set the hourly rate of pay for the Heavy Equipment Operator at \$14.50 / Hr. Guentzel abstained.
- **Resolution authorizing contract with Interested Officer - Conflict of Interest Resolution – Michael Hoops**

**RESOLUTION 2015 - 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 unanimous 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 per hour. Payment to occur on the contract as agreed and upon the filing of a proper affidavit by the interested officer.

Adopted the 21st day of April 2015.

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

_____	_____
Greg Hull	Larry Guentzel
ATTEST:	
_____	_____
Frederick R. Whitney	<u>ABSTAINED</u>
	Michael Hoops

- **Resolution authorizing contract with Interested Officer - Conflict of Interest Resolution – Larry Guentzel**

**RESOLUTION 2015 - 4
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:

Seasonal Truck Driver

WHEREAS, Larry Guentzel was hired as an employee in the position of Seasonal Truck Driver prior to being elected to the position of supervisor;

WHEREAS, Larry Guentzel 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 Seasonal Truck Driver, and Larry Guentzel was the applicant qualified for the position;

NOW, THEREFORE, BE IT RESOLVED that the Town Board, upon a unanimous vote of the supervisors, with the interested officer abstaining, finds that the contract price of \$14.50 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 Larry Guentzel for a price of \$14.50 per hour. Payment to occur on the contract as agreed and upon the filing of a proper affidavit by the interested officer.

Adopted the 21st day of April 2015.

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

Michael Hoops	Greg Hull
ATTEST:	
Frederick R. Whitney	ABSTAINED
	Larry Guentzel

- **Clerk – Monthly rate of pay-** Motion by Hull, seconded by Guentzel to set the Clerk’s monthly rate of pay at \$1,500. Motion carried unanimously.
- **Land Use Administrator rate of pay –** Motion by Hoops, seconded by Guentzel to set the Land Use Administrator’s rate of pay at \$25 / Hr. Motion carried unanimously.
- **Clerk/Land Use Administrator –** Motion by Hoops, seconded by Hull to utilize existing Per Diem Rates for Land Use and Cartway meetings, hearings, as well as Sewer District meetings. Motion carried unanimously.

- **Deputy Clerk – Hourly rate of pay-** Motion by Hull, seconded by Hoops to set the Deputy Clerk’s wage at \$12.50 / Hr straight with No Per Diem’s. Motion carried unanimously.
- **Appoint Board Representatives to various boards –**
 - North Shore Management Board - Motion by Hull, seconded by Guentzel to appoint Mike Hoops to the North Shore Management Board.
 - Forestry – Motion by Hoops, seconded by Guentzel to appoint Greg Hull to the Lake County Forestry Board. Motion carried unanimously.
 - North Shore Technical Committee – Motion by Hoops, seconded by Hull to appoint Larry Guentzel to the North Shore Technical Committee. Motion carried unanimously.
- Motion by Hull, seconded by Hoops to adopt the following Per Diem Policy Rates for Special Meetings, Hearings and Sewer District meetings effective: April 8, 2014. Motion carried unanimously.
 - \$25 - Special meetings held 5:00 p.m. or later in conjunction with a regular scheduled Board meeting – no paid mileage.
 - \$50 - Special meetings held 5:00 p.m. or later not in conjunction with a regular scheduled Board meeting – mileage paid.
 - \$75 - Special meetings held during working hours – mileage paid.
 - \$150 - All day training sessions – mileage paid.
- Motion by Guentzel, seconded by Hoops to adopt Election Judge wage at \$12.00/hr. Motion carried unanimously.
- Motion by Hull, seconded by Hoops to adopt Treasurer’s wage: \$250 per month, mileage reimbursement: \$25 for a total of \$275.00 per month averaging 15 hours per month. Motion carried unanimously.
- Motion by Hull, seconded by Hoops to set the Deputy Treasurer’s wage at \$12.50/hr. Motion carried unanimously.
- Motion by Hoops, seconded by Guentzel to adopt Supervisor’s wage: \$235 per month. Motion carried unanimously.
- Motion by Hull, seconded by Guentzel to adopt Chairman’s wage: \$300 per month with an additional \$25 per month for mileage. Hoops abstained.
- Motion by Hoops, seconded by Guentzel to adopt Mileage reimbursement per IRS Rules. As of 04-08-14: \$.575 per mile. Motion carried unanimously.
- Motion by Hull, seconded by Guentzel to adopt The Lake Bank as Depository for all Town funds. Motion carried unanimously.
- Motion by Hoops, seconded by Guentzel to accept the AWAIR, Policy manual, Resolution Book, and Ordinance Book as presented. Motion carried unanimously.
- Motion by Hull, seconded by Guentzel to adopt posting sites – Silver Creek Town Hall and Silver Creek Website– www.ttosc.org. Motion carried unanimously.
- Motion by Guentzel, seconded by Hull to adopt The Northshore Journal as the Township’s Legal Newspaper Publication. Motion carried unanimously.
- Motion by Guentzel, seconded by Hoops to adopt contract with Gerald Morris and Timothy Costley as the Town Attorney temporarily. Motion carried unanimously.

Adjourn:

Motion by Guentzel, seconded by Hoops to adjourn the meeting at 9:43pm. Motion carried unanimously.

Respectfully submitted,
Kristina Pirsig, Deputy Clerk