

TOWN OF SILVER CREEK
COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 11, 2018

The Committee of the Whole meeting of the Town Board of the Town of Silver Creek was held on Tuesday September 11, 2018 in the Board Meeting Room for the purpose of discussing all issues before the board.

Present: Supervisors Greg Hull, and Dennis Moen; Clerk Alison Oftedahl; Equipment Operator Allen Anderson; Lake County Commissioner Rich Sve; Lake County Attorney Russ Conrow; and Lake County Director of Environmental Services Christine McCarthy.

Absent: Supervisor Mike Hoops

Constituents and visitors present: Bruce Tower, Ben Oliver, Ron Hammes, Tom Opfer, Dave Henjum, Tim Weber, Dwight Lind, Butch Wittlief.

Chairman Hull called the meeting to order at 7:00 p.m.

1. Constituent Concerns:

Bruce Tower requested an update on his "Hidden Driveway" sign request from last month. The township has just received the sign, and it will be installed soon according to Equipment Operator Anderson.

Dave Henjum expressed concerns with rough roads and the insufficiency of the road grading. Several others agreed that the road grading is not satisfactory. Hull responded that over the course of twelve years with eight different equipment operators, he had received both complaints and compliments on each one. Moen also responded that this has not been a normal year because road construction on Highway 61 has caused excess traffic on town roads.

Butch Wittlief suggested that candidates for the job of Town Operations and Facilities Manager be tested on their equipment operation including road grading. He also suggested that sewer duties may be stopping good equipment operators from applying and that perhaps the sewer operations could be farmed out. Chairman Hull noted that a company called AE2S will run the sewer during Operator Hoops vacation, and there is a chance that we may be able to make the agreement permanent if it can be cost effective. Hull did agree that it is challenging to find candidates with both sewer and equipment operator skills.

Wittlief also expressed concern about the sewer finances and asked whether it had been running in the red for twenty years. Hull explained that sewer district residents are the only ones assessed on the sewer and their user fees pay for the operations. Hull noted that a proposed deal concerning the tax forfeit Gooseberry Village property, on tonight's agenda is designed to make up for a shortfall in the Sewer Debt Fund. Hull also corrected a misperception about the Stewart River Sewer Project. Constituents had heard that \$20,000 was spent on lobbyists. Hull noted that it was about \$3,000 a month for 2 months.

In response to a request phoned in before the meeting, Operator Anderson was directed to remove a tree that is blocking the horse crossing sign on Clark Road.

2. Gooseberry Village – Ron Hammes and partner Ben Oliver spoke of their desire to buy the tax forfeit acres that were to have been Gooseberry Village. It was explained that they cannot purchase from Lake County, but the County can sell to Silver Creek who could in turn sell to them. He stated that it would be a win for everyone – Lake County would receive the back taxes; Silver Creek would receive funds to replace lost assessments; and Hammes and his partner could develop it to recoup their losses. Nothing has been put in writing regarding purchase agreements, but he stated that he and his partner were prepared to offer \$250,000 for the parcel and would also receive 15% of the sewer capacity. Lake County has assessed the market value of the parcel at \$136,000. The difference in those figures (\$114,000) would be used by Silver Creek to pay the PFA sewer loan. Hull will work with Conrow on the next step of the sale from Lake County to Silver Creek – beginning with obtaining state approval for the deal.

3. Road and Safety Report – Anderson reported that dust control would be applied to the Clark Road the next day. They plan to add 4-5 loads of class 5 onto Loop Road and have approximately twelve culverts to replace. They also plan to mow the Alger Grade and seed Loop Road. Next week he will work with Dwight Lind who can supply four to five more trucks to apply needed gravel to the East Castle Danger Road.
4. State Disaster Declaration for the June 17th Flood – The Clerk reported that we have not received a clarification from Nordic Group on the bridge repair proposal and estimate. There will be federal disaster aid, but we do not yet know whether the bridge repair could be covered by FEMA funds.
5. Status of Hiring of Employees – Hull reported that the interview process is underway but is not yet complete. Twelve resumes were received for the position of Town Operations and Facilities Manager and the top four are being interviewed.
6. CDSSD Sewer Operations – Sewer Operator Hoops is out on vacation for 3 weeks. In his absence, since the Town Operations and Facilities Manager resigned, a company called AE2S is running the sewer with regard to any emergency repairs. Allen Anderson will do some of the sampling. Eric Appelwick, the AE2S technician managing the account, has worked on our sewer system years ago with Mike Hoops so is familiar with the system.
7. Stewart River Sewer Project – No status change.
8. Financial Assistance Agreement with Lake County – Hull will work with Commissioner Sve and the Lake County Board to extend the terms of an agreement in which Lake County supplied \$50,000 towards the Stewart River project. Original repayment was due when the Stewart River sewer was built or 2016 whichever came first. The Auditors are pushing Silver Creek to formally extend the terms and get a new document.
9. CDSSD Land Use Ordinance Transition Plan – Lake County Environmental Services Director Christine McCarthy brought a preliminary map showing the Lake County zone boundaries superimposed on the Silver Creek ones. She stated that she believed the most major difference was that their zones allow for short term rental whereas the CDSSD zones do not. There is at least one area where a five-acre minimum would change to two. Commissioner Sve reported that the Lake County Board is in support of taking over Silver Creek's zoning and land use administration, but that they were not interested in any kind of hybrid zoning. If Silver Creek vacates their ordinance, the area would fall under Lake County's current ordinances. When asked whether Silver Creek township would be charged some type of annual fee for this administration, McCarthy said that they don't yet know. She noted that the map was preliminary and that there hadn't been much time to go through each area and document specific differences. Analysis of the specific differences in the rules for each zone still needs to be done. A formal letter will need to be sent to the Lake County Board to request that they take over the administration for Silver Creek and public hearings will need to be conducted.
10. Correspondence – MN Open the Books – The Clerk received an email request from a group called Minnesota@OpenTheBooks.com to send employee records showing names, hire dates, base salaries, bonus, overtime and gross annual wages. The Minnesota Association of Townships has a notice that townships outside the metro do not by law have to comply with the Minnesota Data Practices Act and therefore are not forced to comply but may if they wish. Board members seemed to lean towards not participating but did not make a final decision.
11. Property behind the Fire Pond – No status change.
12. Mowing Contracts – A document prepared by Supervisor Hoops with mowing specifications for the cemetery and sewer ponds was reviewed. An ad will be run to solicit bids for next year's contracts and direct interested vendors to contact the Clerk for details. The specifications document will be supplied to bidders upon request to ensure that the scope of work is clear.
13. Finalize the Audit – External auditors Walker, Giroux and Hahne have requested that Supervisors sign off on the Audit. The management letter identified three items for improvement that were discussed: first, the Sewer Enterprise Fund operating at a loss, second the Financial Assistance Agreement with Lake County wasn't listed as Indebtedness in the CTAS system and third, the

receipts and deposit slips collected by the Treasurer should be stored on site. These three items will be addressed.

14. Seasonal Storage Planning – The Board reviewed last year’s contract and pricing and felt that no changes were needed. Dates have not yet been set for drop off and pick up of items. It was suggested we go to a later Saturday in October than last year so that the new Operations and Facilities Manager has had time to be hired and get started. Dates will be finalized at next week’s regular meeting.
15. Town Hall Maintenance Items – An old list of maintenance that needs to be done was presented and discussed. Three larger events were held at the Town Hall this year and the Township received a couple complaints about needed repairs. It was noted that many of the maintenance items on the list such as the foundation and floor for the Town Hall have been discussed annually but have not been addressed due to the expense.
16. Road Signs for Township Buildings – A request has been sent to Dick Bohr to design some road signs for the township buildings to help folks get to the correct place for Board Meetings, etc.
17. Cemetery Issues – The Board would like to wait on tackling cemetery rules until more pressing matters are completed. A special meeting is needed and will likely need to wait until winter.
18. Cemetery Kiosk – Moen has another meeting with Cavallin Funeral Home to research discrepancies found in the Cemetery Book. Once that is done the electronic file will be ready to be made into a directory sign. The kiosk will be stained in the next week or so, using the stain that was donated by the Country Club.

There being no further business, the meeting was adjourned at 9:07 p.m. upon motion by Moen, second Hull. The next regular meeting of the Town Board will be held on Tuesday, September 18, 2018 at 7:00 p.m.

Respectfully submitted,
Alison Oftedahl, Clerk