

TOWN OF SILVER CREEK
REGULAR MEETING
NOVEMBER 20, 2018

The regular meeting of the Town Board of the Town of Silver Creek was held on Tuesday, November 20, 2018 in the Board Meeting Room. Present were Supervisors: Greg Hull, Denny Moen and Mike Hoops; Clerk Alison Oftedahl, Treasurer Jamie Pellman, and Town Operations and Facilities Manager Jody Reineccius. Constituents Present: Chuck Voss.

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

CONSTITUENTS CONCERNS: None.

TAX FORFEIT GOOSEBERRY VILLAGE PROPERTY:

Hull reported that based upon the advice of our Attorney Scott Witty, the resolution detailed below has been drafted to empower Chairman Hull to sign the necessary documents to complete the purchase of the tax forfeit Gooseberry Village property. Motion by Hoops, second Moen to adopt resolution 2018-8 detailed below. Adopted via unanimous roll-call vote: Hoops – Yea; Moen – Yea; Hull – Yea. It was noted that another Resolution will be drafted for the sale of the property.

RESOLUTION # 2018-8
TOWN OF SILVER CREEK
LAKE COUNTY MINNESOTA
To Purchase Gooseberry Village Tax Forfeit Land

WHEREAS, when the Castle Danger Waste Water system was first built it included sufficient capacity to accommodate the then proposed Gooseberry Village development, and;

WHEREAS, the proposed development was never completed, and;

WHEREAS, only a portion of the assessments on the property for the construction of the Waste Water system were paid, and;

WHEREAS, this resulted in a short-fall in the repayment of capital expense loan fund of the Castle Danger Subordinate Sewer District, and;

WHEREAS, the property planned for development by Gooseberry Village became tax-forfeit in 2016, to wit Parcels Numbered 29-5454-01010, 29-5454-01020, and 29-5454-01030, and;

WHEREAS, Minn. Stat. 282.01, Subd. 1, para. (d), allows the sale of property to The Town of Silver Creek, provided there is a public benefit resulting from the sale and;

WHEREAS, The Town of Silver Creek can obtain the necessary funds for the repayment of the capital loan by purchasing and then reselling said parcels, and;

WHEREAS, the development of the property will result in increased flows into the waste water system as well as increased revenues for the District, and;

WHEREAS, a buyer has come forward with an offer to purchase the property and commence development of it,

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF SILVER CREEK, LAKE COUNTY, MINNESOTA that the Chairman of the Board of Supervisors of the Town of Silver Creek be duly empowered and authorized to execute such documents and perform such actions as are necessary to purchase from Lake County and the State of Minnesota said parcels on behalf of the Town of Silver Creek provided the total purchase price of all three parcels does not exceed one-hundred-thirty-six thousand dollars (\$136,000), excluding such normally and ordinarily incurred fees and taxes related to the purchase of real estate.

Adopted the 20th day of November 2018 by the Town Board of the Town of Silver Creek.

Greg Hull

Denny Moen

Mike Hoops

ATTEST: _____
Alison Oftedahl, Clerk

After the resolution was approved, the Board discussed the next steps. The bank account balance was considered and there was back and forth on which CTAS fund account should be used when drawing the \$136,000 check. The Clerk was directed to consult with the Auditors on the matter. The CTAS fund that is debited for the check will be reimbursed later when sale proceeds are received. All parties would like to see the land deal concluded this year, but given the number of entities and attorneys involved, and the two week wait on the title, the sale portion may not transpire until January. Motion by Hoops, second Moen to grant the Clerk permission to prepare the necessary checks for the purchase price and title fees. This passed unanimously.

Hammes Model Home Sewer Install – Sewer Operator Hoops and Town Operations and Facilities Manager Reineccius met with Brett Ballavance of Wenck to discuss the directional boring needed and possible vendors for the work. Reineccius will be working with MNDOT to obtain needed permits for the boring under the highway. In the meantime, a tank has been installed at the house that can be pumped once or twice a week.

ROAD & SAFETY:

- Road Report – Reineccius reported on the potential purchase of an angle plow. The one he hoped to purchase from Lake County won't fit Silver Creek's needs. He will keep searching for one that will work. Reineccius reported that shop cleaning and reorganization is underway and that flooding of the ice rink has been started. He also reported on costs of mowers but didn't yet have a final recommendation because there are so many models with different features ranging in price from \$3,000 all the way up to \$10,000. Reineccius is planning to do some additional research and is considering manufacturers listed on the state contract. The pricing information will help the Board to decide whether to outsource cemetery and sewer mowing or handle it in-house. Reineccius also reported that the Dodge truck has some sort of electrical problem in which the gas gauge doesn't work and other lights and controls in the dash go off and on. The Board directed him to have Two Harbors Towing check it first and escalate to Duluth Dodge if necessary.
- Town Road Bridge Repair – Reineccius reported that he inspected the bridge work several times to ensure that work was done as promised. It is now complete. Nordic Group drove sheet pile down behind the abutments and poured concrete supports prior to backfilling with the pre-existing road material.
- Approve Hiring of Paul Thompson – Hull reported that Thompson passed the pre-employment drug and criminal background checks. Motion by Hoops, second Moen to approve the wage and benefit package negotiated for Thompson and discussed in last week's COW meeting. Passed unanimously. Thompson's first day will be Monday November 26th.
- Anderson/Thompson Credit Cards – Motion by Hull, second Hoops to authorize the issuance of a township credit card with a credit limit of \$1500 to Paul Thompson provided he signs the Credit Card Use Agreement. And, motion by Hull, second Hoops to reduce the credit limit on Allen Anderson's township credit card to \$500, not as any reflection upon him, but to manage the five township credit accounts to keep the total credit limits within the \$8000 group limit. Both motions passed unanimously.
- Snow Plowing Policy – The order in which township roads are plowed was reviewed. Reineccius explained that a couple changes were made to the policy presented to the Board. Specifically, Big Point and Valhalla were moved from fifth and sixth down to tenth and eleventh because the grader that is used on nearby routes cannot be used on these two and so the operator must switch to a smaller plow for these two roads. A change was also made to indicate that the normal work shift for plowing is ten hours, not eight. Motion by Moen, second Hoops to adopt the 2018-2019 Snow Plowing Policy as presented. Passed unanimously after protest lodged by Hull that plowing in order of one through nine is no more efficient than plowing in order of nine through one. Full plowing policy will be posted on the website.
- June Flooding and Disaster Declaration – Completion of FEMA documentation is underway and has been time consuming. The Clerk reported that fourteen forms were completed and uploaded last week. Deputy Clerk Laura Kleive has agreed to come in for several days in the next two weeks to help with completion of the documentation. The Clerk and Deputy's time spent preparing these documents can also be submitted for reimbursement. The Board provided permission for the Deputy to be utilized. The Clerk recommended a wage increase for the Deputy, and while this was discussed, no action was taken.

SEWER OPERATIONS:

- Water Leak at Grand Superior Lodge – Jim Potter has not yet presented numbers regarding a water leak that was experienced by Grand Superior Lodge starting in April and repaired recently.
- Stewart River Project – There was no change on this project.
- Financial Assistance Agreement with Lake County – The new version of this agreement with payback extended to 2023 has been executed by both Lake County and TOSC.

LAND USE:

- Transition of CDSSD Land Use Administration to Lake County – The Clerk reported that a formal letter of request was prepared and sent to Lake County and it will likely be discussed by the County Board in their next Committee of the Whole meeting.
- Linden After-the-Fact Land Use Application – Mona Linden asked the Clerk to speak on her behalf requesting that the \$400 after-the-fact application fee be waived based upon her belief that a woodshed with a dirt floor is temporary and would not require a building permit. After the Board discussed the issue, Hull made a motion that he stated was based upon the lack of extenuating circumstances and the effort to treat all constituents in an equitable manner, to decline her request for a waiver. His motion was seconded by Hoops and supported by Moen. The Clerk was directed to follow up with Linden.

REVIEW MINUTES:

Motion by Hoops, second Moen to accept the 10/23 Regular and the 11/13 Committee of the Whole Meeting minutes as presented. Passed unanimously.

TREASURER'S REPORT:

Motion by Hoops, second Moen to authorize the requested transfer of \$186,000, noting that this includes the amount needed for the purchase of the Gooseberry Village Tax Forfeit property. TOSC checking: \$57,193.10 and TOSC savings: \$328,176.19 for a total of \$385,369.29. Outstanding Checks totaled \$6,082.78 for a CTAS balance: \$379,286.51. Hoops noted that approximately \$3500 is owed to the Sewer Enterprise by Superior Septic for the prior quarter's septage dumping. And, approximately \$8000 in expenditures from Sewer Enterprise are reimbursable by the owner once the sewer installation to the Hammes model home is completed. Motion by Hull, second Hoops to accept the October Treasurer's Report as presented.

READING OF THE BILLS:

The current month's bills were read: claims 5848-5892 totaling \$43,165.17; and payrolls through 11/23/2018 with Hoops abstaining on 11231809. Motion by Hull, second Hoops, to authorize payment of the bills as presented. Motion carried unanimously.

CORRESPONDENCE:

- Lake County Land Use Applications were reviewed.
- Response to Road Naming – A letter was received from Sharon Lind regarding TOSC's naming of Forest Road 1108. She stated that it couldn't be named Spruce Road because there was already another Spruce Road in Lake County. She suggested it may be better to leave it as FR 1108.
- Sewer License Draft – Sewer Operator Hoops reported that he went through the license with a fine-tooth comb and submitted a couple corrections.

OLD BUSINESS:

None.

NEW BUSINESS:

- Mowing Bids – The Board held off on a decision on the mowing bids pending research on the cost of buying a mower and completing the work in-house.
- Next Year's Board Meeting Schedule – A second draft of the schedule was reviewed. The dates are considered set, but the group tabled discussion of start times so that they could think about whether having earlier start times in winter and later ones in summer should be continued.

PENDING ISSUES:

- Old Town Hall Larger Maintenance Items – Reineccius was directed to check on whether winter foundation covers were installed on the old Town Hall and to install them if necessary.

- Cemetery – Discussion on cemetery issues is planned for January 22.
- Road Sign for Township Buildings – Prices have not yet been received from Silver Creek Signworks.

There being no further business, a motion was made by Hoops, second Moen, to adjourn the meeting at 8:14 p.m. Motion carried unanimously. The next regular meeting of the Board will be held on Tuesday December 18, 2018 at 6:00 p.m. in the Board Meeting Room.

Respectfully submitted,
Alison Oftedahl, Clerk