

TOWN OF SILVER CREEK  
REGULAR MEETING  
MAY 21, 2019

The Regular Meeting of the Town Board of the Town of Silver Creek was held on Tuesday, May 21, 2019 in the Board Meeting Room. Present were Supervisors: Greg Hull, Denny Moen and Chuck Voss; Clerk Alison Oftedahl; Treasurer Jamie Pellman; and Town Operations and Facilities Manager Jody Reineccius.

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

**CONSTITUENTS CONCERNS:**

Mike Braun – The Board confirmed with the Clerk that a letter of response had been sent to Braun noting that Silver Creek cannot perform maintenance on an erosion area that falls outside of the road easement. The Clerk confirmed that it had. Reineccius reported that he and Thompson staked the erosion line in the area of concern along Cliff Point Road so that changes can be tracked over time.

**ROAD & SAFETY:**

Road Report – Town Operations and Facilities Manager Reineccius reported that the plow was removed from the dump truck in readiness for summer projects. The nipple blade on the grader was replaced and it seems to be working well. Many roads were graded today, but tomorrow it's expected to rain again. The "Welcome to Silver Creek" sign on Highway 2 that was damaged during the winter was repaired. Work is planned for Alger Grade and there is a mailbox installation to be done for Jim Williams. Also, it was discovered last week that Silver Creek Operators had inadvertently utilized material from Lake County's gravel pile that was next to ours in the pit. An estimated 1500 yards was taken from the wrong pile. Neil Udenberg at Lake County was informed of the mistake and an offer made to replace the material. Udenberg told Reineccius that it would not be necessary for Silver Creek to do that. Reineccius said he wants to work out some sort of trade such as providing Silver Creek employees and trucks to haul for Lake County for a day.

Facilities Report – Reineccius reported on work completed at the cemetery, noting that raking, brush removal, and cleanup is done, lights are up and verified to be working at night. Flags are flown and everything is ready for Memorial Day. Reineccius also checked with the Board on a couple bad window screens at the old Town Hall and was directed to go ahead with replacement.

Working Over or Near Waterways Policy – Motion Hull, second Moen to adopt as presented a new employee safety policy covering the use of personal flotation devices and general guidelines when working near water. Carried Unanimously. Full text of the policy is retained in Silver Creek's Policy Manual.

FEMA – The Clerk reported that upon reaching Minnesota Homeland Security and Emergency Management, regarding Silver Creek's late and missing payment, it was discovered that HSEM issued the electronic fund transfer to the wrong Silver Creek township. They are working to correct the situation.

Road and Bridge Finances – The Clerk reported the current Road and Bridge Fund balance at approximately \$40,000.

**SEWER OPERATIONS:**

Hammes/Oliver Sewer Installation – Reineccius reported that site work was begun this week and the pump, panel and all electrical work are done. The line is dug to the highway and on the other side of the highway the main has been located and exposed. Hanco Utilities has agreed to come May 23rd to bore beneath highway 61 for the line so that the connection can be completed.

Potential Credit for the Rustic Inn Cafe – Motion by Hull, second Voss to issue a one-time \$2,000 credit to the sewer account of the Rustic Inn Cafe, an 80% discount, for the two-and-a-half-month period that the restaurant was closed after a fire. As discussed at the COW meeting, commercial accounts are billed by usage and the restaurant had almost no usage during that period due to their closure.

Fund Transfer – Motion Voss, second Moen to authorize a transfer of \$101,032.02 from the General fund to the CDSSD Sewer Debt Fund for use in paying the PFA loan. Carried unanimously. The transfer amount came from the following figures presented to the Board by the Clerk: The General fund paid out \$140,639.80 to purchase the Gooseberry Village tax forfeit land and \$6,528.18 in Attorney fees for a total disbursement of \$147,167.98. Then the property was sold for \$248,200 with the dollars receipted into the General fund. After paying back the disbursements, there is \$101,032.02 to apply to the PFA sewer loan.

Possible Early Payoff of the PFA Loan – No action was taken, but the group discussed the most optimal timing for a potential early payoff. The group was in agreement that payoff prior to December 31<sup>st</sup> is desirable because it will release the township from a requirement to hire an external audit. This will save \$10,000.

However, because the loan's interest rate is only 2.29%, there is not a large savings in paying it off right away. Holding off until December, provides cash in the township bank account that could be used in the case of a major emergency such as a flood.

#### **LAND USE:**

Transition of CDSSD Land Use Administration to Lake County – Hull reported that Attorney Scott Witty is drafting a resolution with the legal wording for vacating the current and all prior versions of the CDSSD Land Use Ordinance. Because the documentation is not yet done and due to various schedule conflicts, motion Moen, second Voss to cancel the previously posted public hearing scheduled for June 15. Once documentation is ready, the meeting will be rescheduled, likely at the end of summer or in the fall. Carried unanimously. The Clerk was directed to publish notification of the cancellation.

#### **REVIEW MINUTES:**

Motion by Moen, second Voss to accept as written the April 23rd Regular Meeting minutes. Motion by Voss second Moen to accept with correction noted, the May 7 Board of Equalization minutes; and, motion by Moen, second Voss to accept as presented the May 14th Committee of the Whole Meeting minutes. All three carried unanimously.

#### **TREASURER'S REPORT:**

The Treasurer's Report was presented by Pellman as follows: TOSC checking: \$78,616.25 and TOSC savings: \$472,541.33 for a total of \$551,157.58. Outstanding Checks totaled \$39,545.70 for a CTAS balance: \$511,611.88. Motion by Hull, second Moen to authorize the requested transfer of \$55,000. Passed unanimously. Motion by Hull, second Voss to accept the April Treasurer's Report as presented. Carried unanimously.

#### **READING OF THE BILLS:**

The current month's bills were read: claims 6026-6056 totaling \$25,589.02 and payrolls through 5/24/2019. Motion by Voss, second Moen, to authorize payment of all bills presented except for claim 6038. Motion carried unanimously. Claim 6038 was the insurance premium from MATIT and was set aside based upon concerns raised by Moen that some of the coverage should be adjusted so that the premium could be lowered. After group discussion, Reineccius was asked to revise down the heavy equipment limits and increase their deductibles, and the Clerk was asked to then seek a new quote from MATIT for the next meeting. Claim 6038 and its check will be voided by the Clerk. A new claim and check will be created next month once the coverage level is approved by the Board.

#### **CORRESPONDENCE:**

The Board reviewed the following:

- Silver Creek's approved land use permit issued to Ted Vanderbeek.
- Clerk's letter to Braun regarding Cliff Point Road.
- Thank-you letter to Vince Sando.
- Two approved Lake County Land Use Applications.
- A letter from John and Roberta Christiansen regarding potential use of billboard sign on Highway 61.

#### **OLD BUSINESS:**

None

#### **NEW BUSINESS:**

Sue Anderson Request for Maintenance on a Private Road – Moen brought a request from Sue Anderson for dust control services for a private road. The Clerk was tasked with responding that the Township is not legally able to compete with private contractors nor can they use the township resources for private roads.

#### **PENDING BUSINESS:**

New Township Road Signs – Reineccius reported that the signs were received but not yet installed based upon a concern with the logo on the sign. Lake County had informed Silver Creek that normally logos are not permitted on the blue highway signs that are installed along the road right of way. An alternative would be to install the signs on Silver Creek's property farther off the road. Reineccius stated that Lake County was still considering the situation. The Board stressed the desire to maintain good relations with Lake County and

discussed the alternative, with Hull stating that the signs would likely work fine even if installed farther off the roadside.

Cemetery Kiosk Sign – Moen reported that the directory sign is almost done, and he was able to view it and request some small changes. An electronic copy of the index will be provided on flash drive for updates and the information could be uploaded on Silver Creek's web site.

Lois Laine Cemetery Request– Based upon Section 6 of the Cemetery Rules which defines marker as the stones located at the foot of a lot, and monument as family stones located at the head of a family plot of four or eight lots, and clearly states "Only one marker shall be installed on any one lot", the Board declined to allow Lois Laine to install two markers on one plot. The Clerk was asked to communicate the following options: either to engrave both names on one marker or to use the two plots side by side that the family does own, placing one marker on each plot.

Clerk Vacation – The Clerk will be on vacation May 24 – June 3. Deputy Clerk Laura Kleive will be ready in the event of emergency. Pellman will open mail, receive sewer payments and pick up checks for deposit during this period.

Newsletter – Supervisors were asked to provide feedback by the end of the day tomorrow. The June newsletter is going to press Thursday 5/23.

There being no further business, a motion was made by Voss, second Moen, to adjourn the meeting at 8:37 p.m. Motion carried unanimously. The next regular meeting of the Board will be held on Tuesday June 18, 2019 at 7:00 p.m. in the Board Meeting Room.

Respectfully submitted,  
Alison Oftedahl, Clerk