

**OFFICIAL MINUTES**  
**SPRING LAKE TOWNSHIP MONTHLY MEETING**  
**April 9, 2009**

SPRING LAKE TOWNSHIP TOWN HALL  
20381 FAIRLAWN AVENUE, PRIOR LAKE, MN

Present:

Michael Borka - Supervisor  
Kathy Nielsen – Clerk

Eugene Berens – Supervisor

Glenn Kelley - Supervisor

Also Present:

Mark Statz, Bonestroo

Bob Bauer, Severson Sheldon et al

- 1) a) The April monthly meeting was called to order by Chairman Berens at 5:59 p.m.  
b) The Pledge of Allegiance was said.  
c) Changes to the agenda. Nielsen requested the addition of a Water Issues report to this and future months' agenda. Kelley made a motion to approve the agenda with this addition. Borka seconded. All in favor.  
d) Approval of March 12, 2009 meeting minutes. Kelley made a motion to accept the minutes as presented. Borka seconded. The minutes were approved 3-0.
- 2) **Public Commentary.**
  - a) Tom Wolf, Scott County Commissioner noted that County Board meetings are now available for viewing on the internet. Wolf welcomed comment from the Board on the proposed Social Host Ordinance.
  - b) Dennis Thom presented a list of concerns regarding drainage from the lot at 20835 Addison Drive.
- 3) **Agenda Items**
  - a) Fish Lake Sportsmen's Club – discussion regarding use of Town Hall for monthly meetings. Chuck Bruzek and Lance Krzmarcik asked the Board if the Fish Lake Sportsmen's Club could hold their meetings at the Town Hall on the first Monday of the month September through May, free of charge, in exchange for some public service work. Bauer recommended that such an arrangement should be documented in a Barter Agreement. Borka indicated that brush needs to be cleared along the proposed fence line at the southern border of Fish Lake Park. This would be a good public service project for the Club. Borka will meet with representatives of the Club to discuss this in more detail. Bauer will review the Club's liability insurance policy to ensure that the Town would be protected in the event of an accident or injury while performing their service. Krzmarcik will discuss this further with Club members for possible use beginning in September 2009.
  - b) Angie Roberts, 18221 Wellington Avenue – request for support of an interim use permit to maintain a kennel. Roberts presented her request for an Interim Use Permit to run a kennel for no more than 10 dogs. Roberts is requesting the IUP in order to house, on a temporary basis, dogs whose owners have lost their homes due to foreclosure. Dogs would be housed for a period of three to six months. Dogs would be contained in the back of the property which is enclosed with invisible fence. Roberts, an invisible fence trainer, owns three dogs and requested a permit to allow no more than 10 dogs. Roberts stated would address barking by using bark collars or bringing barking dogs indoors. All dogs would be family friendly and would have to interact well with her five year old son and their existing dogs. Berens asked for public comment. Larry

Brueske opposed the kennel. He owns a vacant six acre parcel across the street and believes the kennel would reduce its property value. Karen Meyer, owner of 15 acres of agricultural land adjacent to the Roberts property, also spoke. Meyer walks her dog near the Roberts property and has seen the invisible fence working. Meyer requested the Board establish a maximum number of dogs allowed. She supports the recommendation for no more than 10 dogs. The Board expressed concern that the invisible fence would not keep children from entering onto the property to visit the dogs. Roberts noted that there are no children living in the area. Borka stated that he did not have confidence that invisible fence really works. Berens made a motion to deny Roberts request. Kelley seconded for discussion. The Board discussed a preference for a traditionally fenced in area. Motion to deny passed 3-0.

- c) Jon Haferman, 3155 Fairlawn Lane – discussion of drainage and other concerns on Fairlawn Lane. Haferman presented a history of the road maintenance and drainage issues on Fairlawn Lane. He stated that drainage concerns need to be addressed in order to minimize future damage to several properties. Nielsen read the attached written comments submitted by Larry Haferman. Haferman noted that on December 8, 2005 he and his father received permission from the Board to excavate the ditch on the north east end of Fairlawn Lane. In summer 2008, Flick added class 5 gravel to the ditch. Haferman presented a series of photos of past and present conditions. Haferman stated that he is willing to again excavate a ditch on the north side of Fairlawn Lane. Haferman also stated that drainage from the road is flowing into his septic tank causing potential additional costs for all owners in the Ben's Bay SSD. Flick stated that he filled in the ditch but was, at the time, unaware of the previous work done in 2005 or his neighbor's drainage concerns. Bauer informed the Board that Fairlawn Lane is a public cartway and a minimally maintained road. Maintenance is the responsibility of the residents, not the Township. Bauer stated that disputes over maintenance issues for this road are a civil matter and must be addressed by the affected parties. Kelley made a motion to affirm that Fairlawn Lane is a minimally maintained public cartway and therefore the maintenance concerns with respect to this road are a private matter. Berens seconded. All in favor.
- Minten asked the Board what steps needed to be taken to extend Fairlawn Lane to Lot 13, Ben's Bay. The Board informed him that, as the owner, he would be responsible for completing the extension of the roadway to Lot 13. The Township will not be involved with improving the cartway.
- d) Consideration of a resolution adopting an assessment policy for road improvements. Bauer and Statz discussed provisions of the draft assessment policy. Revisions will be made to establish provisions for assessments on lot equivalents. The revised resolution will be considered at the May Board meeting.
- d) Discussion regarding a draft Agreement for Fire and Rescue Services. Berens reported that he and Nielsen attended the April 6<sup>th</sup> Board meeting of Credit River Township. It was mutually decided that the towns would accept a five year term for the new contract. However, the contract must contain language confirming the verbally agreed upon formation of a fire council to include the City Fire Chief and representatives of each township, whereby the townships will have an advisory role in the budgeting process. Nielsen (Spring Lake Township) and Lawrence (Credit River Township) will develop proposed language and meet with the City of Prior Lake Finance Director to discuss.
- e) Consideration of a resolution certifying an assessment for costs of improving Jasper Avenue as provided for in the Paradise Acres Development Agreement. Berens made a motion to adopt Resolution #09-007 certifying an assessment for the cost of improving Jasper Avenue. Borka seconded. All in favor.

- f) Discussion of a proposed Scott County social host ordinance. Sgt. Bob Mulehville spoke in support of the Social Host Ordinance stating this would be a useful tool for the sheriff's department. County Attorney Pat Cileberto and County Sheriff Studnika discussed with the Board the pros and cons of a social host ordinance. Berens expressed concern that property owners who are wrongly accused of hosting an event would bear the cost of their defense. Kelley made a motion to support the proposed social host ordinance. Berens seconded for discussion. After further discussion, the motion passed 3/0.
- g) Consideration of quotes for a fence at Fish Lake Park. This item was deferred to a future meeting while Borka addresses the cost to clear brush prior to fence installation.
- h) Consideration of a resolution amending the Township Snow and Ice Control Policy to limit liability for damage to mailboxes. Kelley made a motion to amend the Township Snow and Ice Control Policy to limit liability for damage to mailboxes and other property within the township right-of-way. Borka seconded. All in favor.
- i) Discussion of dental insurance for township officials. This item was deferred to the May Board agenda.

**4) Engineer's Report.**

Statz presented the April Engineer's Report.

- a) DAP Transportation Plan. Statz discussed the County's expectation that the township adopt a transportation impact fee as an outcome of the DAP Transportation Plan. Statz informed the County that the Township Attorney has advised against such a fee. This will be discussed further at a meeting to be held on May 6<sup>th</sup> with all affected township. The County has requested that the transportation plan identify both township collector and connector roads. Statz will draft the written report for initial approval by Scott Co. prior to presentation to the township Board.
- b) Vergus Easement. Statz and Berens met with Gloria Hentges to discuss the easement needed for culvert replacement. It is expected that Hentges will sign the easement within the next couple of weeks.
- c) Town Hall. Bonestroo has been in contact with Greystone regarding completion of punch list items.

**5) Road**

- a) Statz and Berens inspected the unusual potholes on Lake Ridge Drive. Statz indicated the area needs to be milled down and patched.
- b) Nielsen presented complaint letters from Dennis Thom
- c) Nielsen provided a to-do list from the recent road inspection
- d) Berens presented a letter from Sharon Thompson regarding outstanding issues from the Town Hall construction project. Berens will meet with Thompson to stake where replacement trees should be placed.
- e) 180<sup>th</sup> Street needs gravelling.

**6) Parks Report**

- a) Irrigation start-up as-built drawings. Kelley will contact the contractor to complete this work.
- b) Raymond Ave. and South Shore Parks. Kelley and Nielsen met with the City of Prior Lake to discuss plans for the development of Raymond Avenue and South Shore Drive Parks under the orderly annexation. Plans will be presented to the full Board in the near future.
- c) Pavilion repair. The pavilion at Fish Lake Park needs a new roof. Work to be done by Borka.
- d) Overflow parking at Fish Lake Park. The town will gravel an overflow parking lot at the south end of Fish Lake Park.

**7) Water Resources Report**

- a) PLSLWD Water Resources Management Plan. Nielsen attended a meeting of PLSLWD to discuss their draft Water Resources Management Plan. The draft plan included a provision requiring the Township to complete a Mn RAM functions and values assessment of all wetlands in the town within three years of adopting the plan. This requirement would have created an onerous financial burden for the Town. The Watershed District agreed to modify this provision to require that 1) such an assessment will be done on individual parcels as development occurs, and 2) the District will, within two years, develop a plan for completing the Mn RAM assessments.
- b) Stormwater Data – Digital Data Standards. Statz was asked to look into what the Town will need to do in order to comply with the digital data standards being developed for stormwater mapping.

**8) Treasurer’s Report**

In Siegle’s absence, Nielsen presented the March, 2009 Treasurer’s Report. Kelley made a motion to approve the March, 2009 Treasurer’s Report. Borka seconded. All in favor.

**9) New Business/Old Business**

- a) Projection Screen. The Board approved the purchase of projection screen for the Town Hall.
- b) Siegle will attend this year’s Urban Short Course.

10) **Approval of disbursements.** The Board reviewed the attached April, 2009 disbursement ledgers and approved the checks to be issued. The checks numbered 8580 through 8607 were signed by Berens and Nielsen. Checks will be held for Siegle’s signature when she returns next week. Nielsen will then mail.

11) The following items were included in the Board’s information packets for informational purposes:

- List of upcoming meetings

There being no further business before the Board, Borka made a motion to adjourn. Berens seconded. All in favor. The meeting was adjourned at 11:35 p.m.

Kathy Nielsen, Clerk  
Spring Lake Township

Minutes approved \_\_\_\_\_

\_\_\_\_\_  
Berens, Chairman

\_\_\_\_\_  
Kathy Nielsen, Clerk