

OFFICIAL MINUTES
SPRING LAKE TOWNSHIP MONTHLY MEETING
November 12, 2009

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

Present:

Michael Borka - Supervisor
Kathy Nielsen – Clerk

Chris Olson – Supervisor
Stacy Siegle - Treasurer

Glenn Kelley - Supervisor

Also Present:

Mark Statz, Bonestroo

Bob Bauer, Severson Sheldon et al

- 1) a) The November monthly meeting was called to order by Chairman Borka at 6:00 p.m.
b) The Pledge of Allegiance was said.
c) Changes to the agenda. Nielsen requested the amendment of item f) from a policy consideration regarding County Park Fees, to a discussion of the Town's three party developer's agreement. Nielsen also requested the addition of a discussion regarding mitigation strategies under the draft Scott County Rural Residential Service Area Detail Area Plan, and consideration of a resolution appointing a road contractor liaison. Kelley made a motion to approve the agenda with the requested changes. Olson seconded. All in favor.
d) Approval of October 8, 2009 meeting minutes. Borka made a motion to accept the minutes as presented. Kelley seconded. The minutes were approved 2-0, with Olson abstaining.
- 2) **Public Commentary.** Tom Wolf, Scott County Commissioner, complimented the Board on a successful DAP Area open house held on October 27th. Commission Wolf also reported that Scott County is moving forward with improvements to Spring Lake Regional Park.
- 3) **Agenda Items**
 - a) Carolyn Stage, Country Prime Time, request for support for renewal of on-sale, off-sale and Sunday liquor license. After review of the sheriff's incident report for the past twelve (12) months, Kelley made a motion to adopt Resolution #09-017 supporting renewal of an on-sale, off-sale and Sunday liquor license for Country Prime Time. Olson seconded. All in favor.
 - b) Terry Correll, MN Horse & Hunt Club, request for support of renewal of on-sale and Sunday liquor license. After review of the sheriff's incident report for the past twelve (12) months, Kelley made a motion to adopt Resolution #09-018 supporting renewal of an on-sale and Sunday liquor license for Minnesota Horse & Hunt Club. Olson seconded. All in favor.
 - c) Discussion of memorials for Gene Berens. Kelley will research signage for naming the ball fields at Fish Lake Park. Nielsen will research the appropriate height for a flag pole at the Town Hall.
 - d) Gary Anderson, 17 South Sutton Lake Blvd, request to consider paving of South Sutton Lake Blvd and Xeon Avenue. Anderson presented his request and supporting arguments for the paving of Xeon Avenue. Nielsen presented a history of Board activity on this request. Siegle presented a cash flow analysis showing that the Town does not have sufficient cash flow to fund the project in 2010. Kelley and Olson expressed concern regarding the fiscal impact of this project at this time. Borka made a motion to move forward with the paving project. Kelley seconded for discussion. Olson expressed opposition at this time due to financial issue. Olson favored waiting a year on the project. Kelley concurred. On a vote, the motion failed 1 to 2. Olson made

- a motion to reconsider this action in October, 2010, and directing the clerk and treasurer to budget for this project for 2011. Borka seconded. All in favor.
- e) Consideration of development review fees and escrows. Nielsen presented information on fees being charged by other townships for participation in Development Review Team (DRT) meetings. For 2010 it was determined that Mark Statz will represent Spring Lake Township at DRT meetings. Kelley made a motion to charge a township fee of \$200 for DRT meetings to cover a portion of the township's costs. Olson seconded. All in favor. Nielsen presented a draft Preliminary Plat Review Application and fee schedule. Kelley made a motion to approve the Preliminary Plat Review fee schedule. Borka seconded. All in favor.
 - f) Discussion of the town's three-party developer's agreement. The Board discussed the historical origins of the three-party developer's agreement required by Scott County. Bauer questioned whether the three-party developer's agreement could properly be considered as consent by the Township to the County's taking of a park fee. The Board does not object to the taking of a park fee by Scott County as long as those dollars are primarily spent in Spring Lake Township. The Board would like the developer's agreement to include language giving the Town the ability to assess benefiting properties for maintenance of stormwater facilities.
 - g) Policy discussion regarding town hall usage for political caucuses. Kelley made a motion to allow political parties to rent the town hall for political caucuses at the current non-profit rate. Borka seconded. All in favor.
 - h) Township DAP transportation fee. The Board discussed its options for funding the construction of turn lanes and bypass lanes as required under the DAP Transportation Plan. Olson made a motion to have the developer pay for improvement as development occurs. If a developer is unwilling to install the required improvements, the development would be considered premature. Kelley seconded. All in favor. The Town will no longer pursue an AUAR in order to implement a transportation impact fee.
 - i) Discussion regarding mitigation strategies under the draft Scott County Rural Residential Service Area Detail Area Plan. Nielsen updated the Board on discussions from the November 5th DAP Management Team meeting. Olson made a motion to approve a mitigation strategy which would require community wells in the DAP area for developments of 30 or more lots within a designated wellhead protection area. Kelley seconded. All in favor.
 - j) Consideration of a resolution appointing a road contractor liaison. Kelley made a motion to adopt resolution #09-019 appointing a liaison and alternate liaison to work with the town's road maintenance contractor. Olson seconded. All in favor.

4) Engineer's Report.

Statz presented the November Engineer's Report.

- a) Xeon Avenue/South Sutton Lake Blvd. In 2010 these roads will be graveled in anticipation of paving in 2011.

5) Road Report

- a) Shouldering. Shouldering of township roads has been completed. The Board discussed the need for better communication with Art Johnson Trucking in light of Gene Berens' death.

6) Parks Report

- a) Winterization of Fish Lake Park. All outdoor spigots have been turned off and the irrigation system has been blown-out.
- b) South Shore Drive. City of Prior Lake has begun installation of a picnic shelter at this park.

- c) Raymond Ave Park. City of Prior Lake has begun clearing of brush for installation of a picnic shelter at this park.
- d) Vandalism. Paperwork has been submitted the Scott County court system to request restitution for the cost of replacing the vandalized light structures in the Fish Lake Park Pavilion.

7) Water Resources Report

- a) Lindsay wetland delineation. The proposed delineation has not been accepted by BWSR. A TEP will meet on-site to discuss changes needed to the delineation.
- b) Wangerin violation. It appears that two WCA violations occurred on this property, filling of a wetland in 2000-2001, and excavating of wetland in 2003-2005. The DNR will be taking enforcement action and the Scott SCWD will work with the property owner on developing a restoration plan.

8) Treasurer's Report

- a) Siegle presented the October, 2009 Treasurer's Report. Kelley made a motion to approve the October, 2009 Treasurer's Report. Borka seconded. All in favor.
- b) Engagement letter for annual audit. Kelley made a motion to authorize the engagement of Abdo Eick and Meyers for the audit of the 2009 financial statement. Borka seconded. All in favor.

9) New Business/Old Business

- a) Special meeting minutes. Borka made a motion to approve the minutes of the October 20, 2009 special meeting to appoint a township supervisor to fill the seat vacated by the death of Gene Berens. Kelley seconded. The motion passed 2/0 with Olson abstaining
- b) Township Fire Department. Olson will take the lead in researching the feasibility of establishing a Township fire department.

10) Approval of disbursements. The Board reviewed the attached November, 2009 disbursement ledgers and approved the checks numbered, 8810 to 8840, to be issued. The checks were signed and given to Nielsen for mailing.

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

- List of upcoming meetings
- Ben's Bay SSD quarterly operating report
- Quarterly fire call report

There being no further business before the Board, Kelley made a motion to adjourn. Olson seconded. All in favor. The meeting was adjourned at 11:15 p.m.

Kathy Nielsen, Clerk
Spring Lake Township

Minutes approved _____

Michael Borka, Chairman

Kathy Nielsen, Clerk