

**OFFICIAL MINUTES  
SPRING LAKE TOWNSHIP  
MONTHLY BOARD MEETING**

March 12, 2020

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

Present:

Doug Berens - Supervisor  
Melissa Hanson – Clerk

Glenn Kelley – Supervisor  
Dave Johnson - Treasurer

Ted Kowalski - Supervisor  
Sara Domer – Deputy Clerk

Also Present:

Matt Stordahl - Stantec

- 1) a) The meeting was called to order by Chairman Kowalski at 7:00 p.m. The Pledge of Allegiance was said.
  - b) Changes to the agenda. Staff requested adding item 1.d) Approval of February 26, 2020 Board of Audit meeting minutes, 3.d) Consider request for shed move and item 3.e) Consider Encroachment Agreement for Harvest Bluffs 2nd Lot 6, Block 1, PID 111480060, 3.f) Consider Encroachment Request for Harvest Bluffs 2nd 4580 204th St E, PID 111480040. Kowalski asked to hear all the Encroachment requests first and then the shed request. Kelley made a motion to approve the agenda as amended. Berens seconded. All in favor.
  - c) Approval of the February 13, 2020 meeting minutes. Berens made a motion to approve the minutes. Kowalski seconded. The minutes were approved 2-0. Kelley abstained as he was absent for the meeting.
  - d) Approval of February 26, 2020 Board of Audit meeting minutes. Kowalski made a motion to approve Board of Audit minutes. Berens seconded. The minutes were approved 2-0. Kelley abstained as he was absent for the meeting.
- 2) **Public Commentary**
- a) Tom Wolf, Scott County Commissioner-
    - i) Elko New Market – proposing sewer and water in the area Hwy 35 & Hwy 2
    - ii) Public Works Building – ribbon cutting to be held in May.
    - iii) County Meetings- All non -essential meetings for County are cancelled until further notice to help limit the spread of COVID-19.
  - b) Curt Hennes, Prior Lake Spring Lake Watershed District-
    - i) Carp - Shared article on bio warfare tactics used to control carp.
    - ii) Clean Water Clean Up Day – Leaf raking: last Sunday in April location TBD.
    - iii) PLSLWD Board Openings: Current opening for PLSWD manager will be open until March 18 to replace manager who moved out of the area. Another board opening will occur later this summer as current term expires.
    - iv) Carp seining – 10,000 lbs (5 tons) of carp removed with seining in Upper Prior near Knotty Oar Marina. Efforts near Mud Bay and on Spring Lake were hampered by mud and debris. Underwater speakers will be used to promote schooling of carp for removal in early spring.
  - c) Bruce Wise- 18326 Yorkshire Avenue – Is interested in subdividing property into two 2-acre parcels. Board stated they saw no initial issues with the proposal but preliminary and final plat would be required for approval.

- d) Terry and Matt Quinnell, 5650 Starview Lane - regarding property at 4625 182<sup>nd</sup> St. Quinnell is interested in subdividing into 2 parcels one -10 acre and one-30 acre but has no plans to further develop area. Board stated they saw no initial issues with the proposal but rezoning, preliminary and final plat would be required for approval.

### 3) **Agenda Items**

- a) Consider Encroachment Agreement for Legacy Addition- Chris Ockwig explained that the house on Lot 3 Block 1, Legacy Addition would require a septic pipe to go through the Township easement in order to utilize septic sights and requires an encroachment agreement. Township Engineer has reviewed request. Berens made a motion to approve the encroachment agreement as drafted by Township Attorney for Lot 3 Block 1 , Legacy Addition. Kelley seconded. All in favor.
- b) Consider Encroachment Agreement for Harvest Bluffs 2nd Lot 6, Block 1, PID 111480060- Chris Ockwig on behalf of Jena Sura, JB Woodfitter explained that the house would require a septic pipe to go through the Township easement in order to utilize septic sights and requires an encroachment agreement. Township Engineer has reviewed request. Berens made a motion to approve encroachment agreement as drafted by Township Attorney for Lot 6, Block 1, Harvest Bluffs Second. Kelley seconded. Kowalski abstained.
- c) Consider Encroachment Request for 4580 204<sup>th</sup> St. E. PID 111480040 – Chris Ockwig on behalf of Jake Tupy, Moderno Homes, explained that the house would require a septic pipe to go through the Township easement in order to utilize septic sights and requires an encroachment agreement. Berens made a motion to approve requested encroachment as reviewed and approved by Engineer with encroachment agreement to be prepared by Township Attorney and signed by Board at a later date. Kelley seconded. Kowalski abstained.
- d) Consider Request for Garage Shed Move, 20600 Langford Way- Robert Dan Walker requested support for moving a garage from the front of his house to the side of his yard and noted that no variances were needed. Kowalski made a motion to approve the request for a shed move. Kelley seconded. All in favor
- e) Set date for Public Hearing for Regulating Mooring Facilities- Township continues to review creating Mooring Ordinance similar to Prior Lake’s but would like additional input from residents. Board requested to have the Public Hearing at the April 9<sup>th</sup>, 2020 Monthly Board Meeting and asked staff to mail notices about the public hearing to Township residents that have property on Spring Lake. Kowalski made a motion to set the Mooring Ordinance Public Hearing on April 9<sup>th</sup>, 2020. Berens seconded. All in favor.
- f) Consider Township Quotes/Bid for Services for 2020- Domer presented the bids for services and the following were awarded with provided reason
- i) ROW/Brush Spaying - Central Applicators- lowest price, good service. 2020 request- be more aggressive with wild parsnip and woody vegetation.
  - ii) Ditch Mowing – Anderson Bobcat– lowest bids and good service.
  - iii) Portable Toilets – Specialized Sanitation– lowest bid and prompt service.
  - iv) Gravel Hauling – Joseph Mullin Trucking– lowest bid.
  - v) Park Maintenance - Ash Tree- lowest bid, good service.
- Kowalski made a motion to accept quotes from Central, Anderson Bobcat, Specialized Sanitation, Joseph Mulling Trucking, Central Applicators, and Ash Tree. Berens Seconded. All in favor.

#### 4) Engineer's Report

Stordahl presented the March Engineer's Report.

- a) Mushtown Road – Braun Intertec is contracted to complete soil borings, currently scheduled to be completed on March 12<sup>th</sup>. A Gopher State One Call (GSOC) request was made to get maps of all the existing utilities along the roadway.
- b) Debbie Carlson drainage issue update: From Troy Kuphal, Scott County Soil and Water District:

Based on a bit of research, the earliest iterations of the agricultural drainage system in question were installed prior to 1937, and then sometime between 1957 and 1964 the open ditch that drained the entire basin (eastward across Mushtown) was replaced with the pump and underground pipe system that exists today.

In those days no permits were required, and we have no design records or other information about the system other than some vague correspondence suggesting some involvement/consultation by the USDA/ Soil conservation Service.

The only instance I can think of where a permit might have been required since those days is if the DNR required one to allow discharge from the pipe into the DNR-protected basin on the east side of Mushtown and slightly north (ID# DNR-63-70-W). I doubt this would be the case, but one would need to contact the DNR to find out for sure.

In some cases, the individual(s) building multi-parcel drainage systems would obtain an easement for components of a system that crossed onto other people's property. This was typically to ensure they would have rights to maintain the outlet. This was not always the case however, and the only way to find out would be through title research.

Stordahl says that after the water starts moving this Spring he and County Staff will go out to look at what may be causing the water to held. Carlson stated that the ditches are full and water is not moving.

#### c) Miscellaneous

- i) TH 13/Vergus Avenue Turn Lanes –Information prepared by Township Treasurer detailing previous road maintenance, the dust coating invoice has been resubmitted to MnDOT.
- ii) Parkview Culvert Replacement – Jaguar Communications damaged the culvert recently replaced when they trenched in their communications line. The costs for this repair (\$3347) have been forwarded to Jaguar with the expectation that the Township will be reimbursed. Jaguar has been very slow in responding to this matter, stating that we should be hearing from their subcontractor.

#### e) Development

##### iii) Developments –

- (1) Legacy Addition (Cleary Acres) – Final plat approved by Scott County 2-18-2020
- (2) Harvest Bluffs – Punchlist repairs are scheduled to start this month, including repairing the infiltration basin.
- iv) Butterfly Lane drainage issue- Stordahl reviewed the concern of Joe Eidem, 1136 Butterfly Lane, who has a drain tile running under his home to a wetland on the northern part of his property. Eidem is concerned that the tile is failing and will cause damage to his home. Stordahl reported that Eidem excavated a small hole to

locate the tile in his front yard and near the road and found the pipe to be approximately 7 feet deep. He also noted that there is roughly 18” – 24” of elevation between this pipe and the normal water elevation (NWE) of the pond east of his home, making this is a feasible option for this tile to be drained to.

Tony Robling, 1145 Butterfly Lane, asked the Board about how much the water in the tile and the upstream pond might be affected if this change were to occur. In the event that the pond would rise above the NWE water would back up into the tile, but the elevation difference between the two ponds would certainly push the water through the tile even when it’s submerged. Stordahl requested to be notified when work is done evaluate the condition of the pipe under the road and determine if it needs to be replaced.

- v) Future Process for Encroachments across Township Easements: Engineer recommended that encroachments crossing Township easements as wetland areas / swales should always include a sketch or survey for the locations where crossing an easement and require a tracer wire for times when maintenance is needed. Kowalski also asked that flagging in the trench be completed as well. Board recommends, when possible to grant the encroachments in any development agreement to save both time and costs.
- vi) City of Burnsville opened bidding for JPA and prices this year look good.

#### **5) Road Report**

- a) Spring Road Tour - Spring road tour date set for April 16 at 1:00 p.m.
- b) Road Restrictions have been posted.
- c) Pot holes – to be fixed with hot patch.
- d) Dead Deer – Carlson noted a recently killed deer near neighbor’s property on Mushtown. Animal control to be contacted.

#### **6) Town Hall and Parks Report**

- a) Presidential Nominating Primary held at Town Hall on 3/3/2020. 346 ballots were cast.
- b) Flag pole lights will be replaced by Cal-Tex as it was lowest bid.
- c) Staff suggested asking Fish Lake Sportsman Club to replace defibrillator rather than completing a project. Kowalski to contact Sportsman Club.

#### **7) Water Resources Report**

- a) No new info

#### **8) Treasurer’s Report**

- a) Johnson presented the February, 2020 Treasurer’s Report. In February total receipts were \$66,003.57, total disbursements were \$147,375.20, and the ending cash balance was \$2,092,867.35. Kowalski made a motion to approve the February, 2020 Treasurer’s Report. Kelley seconded. All in favor.

#### **9) SCALE-**

- a) Friday’s Meeting 3/13/2020 has been cancelled.
- b) Kowalski noted that SCALE is known for its collaboration on important issues and asked SCALE representative Kelley to see if SCALE would help support the Township’s request to leave the areas of and around South Shore Drive, Vergus Ave

and Spring Lake Circle in the Township beyond 2024 to recover from slower development during the time of the Orderly Annexation and after the Township's paved road area increased by 30% with required County Turn backs in 2018. Kowalski noted that these areas represent about 11% of the Township's tax base and both continuing Township residents and annexed residents would see significant tax increases without corresponding benefits. Carlson asked how residents could support the request and share their concerns.

**10) New Business/Old Business**

- a) Scott County Fair Donation- Staff shared the request from the Fair Board for a donation – Town Board declined.
- b) Containment System Requested: 2571 South Shore Drive- Scott County contacted Township Staff regarding request to put in containment system for shed. Kowalski noted that containment systems are generally not allowed by the County and as this property is near sewer and water and also near the lake, that sewer and water hook-up is a better alternative. The Board also noted that this area is in the OAA and Prior Lake and Scott County would also need to provide input into the request.
- c) DRT Meeting – Dog Day Care and Overnight Boarding will be reviewed on 3/18/2020. Only immediate concern is barking.

**11) Approval of Disbursements** The Board reviewed the March, 2020 disbursement ledgers and approved checks numbered, 13045 to 13071, to be issued. The checks were signed and given to Hanson for mailing.

**12)** 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, Kowalski made a motion to adjourn. Kelley seconded. All in favor. The meeting was adjourned at 8:55m.

Melissa Hanson, Clerk  
Spring Lake Township

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

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Thaddeus Kowalski, Chairman

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Melissa Hanson, Clerk