

**OFFICIAL MINUTES
SPRING LAKE TOWNSHIP
MONTHLY BOARD MEETING
November 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 to amend 3.h. Review and Approve 2021-2030 Fire Contract. Kelley made a motion to approve the agenda as amended. Berens seconded. All in favor.
- c) Approval of the October 8, 2020 meeting minutes. Berens made a motion to approve the minutes. Kowalski seconded. The minutes were approved 3-0.

2) Public Commentary

- a) Tom Wolf, Scott County Commissioner- Updates:
 - i) Elections: Congratulated Lisa Quinn on election to Spring Lake Town Board and thanked residents of Spring Lake Township for the support of him as County Commissioner.
 - ii) McMahon Lake: \$600,000 in funding from the state received that needs to be matched and the county will likely come up with the money for the project so the state funding is not lost.
 - iii) Stop light at 21 and 91: scheduled for completion at the end of November.
 - iv) Levy: County anticipates a 2.5% or less increase for levy.
 - v) Inquiries:
 - (1) Kowalski – wanted to ensure Scott County is watching to ensure that the rebuilding of Minneapolis is the responsibility of Minneapolis and that they do not seek to recoup money from the tax payers of Scott County.
 - (2) Kowalski – asked who is taking Claire Robling’s position after she retires as Legislative and Communications Coordinator. Kelley noted SCALE may provide information at meeting on November 13, 2021.
- b) Curt Hennes, Prior Lake Spring Lake Watershed District- Updates:
 - i) Administrator Diane Lynch will retire effective Monday, November 30, 2020. A nation-wide search for candidates will be conducted with technical and financial experience emphasized. Maggie Karschnia will be interim administrator. PLSLWD will ask for representatives from constituents for input on candidates.
 - ii) Water Storage Projects underway or under consideration:
 - (1) Easement signed from Chad Sandy for storing water in order to slow down water entering at Hwy 10 and Hwy 13.

- (2) Adding iron sand filter on Hwy 13- nearly ½ of phosphorus entering Spring Lake comes from Sutton Lake.
 - (3) Swamp Lake – opening an old culvert to Geis Lake which flows to Minnesota River.
 - (4) Adding an underground pipe from 13 to low area of 190th/81 for temporary storage with control structure to slow water going into Spring Lake may be too costly.
 - (5) PLSLWD will receive cost estimates in December for water storage projects and decisions will be made on which will be implemented.
- iii) Carp seining will be completed this winter on Spring Lake near Sailer’s Greenhouse and on Upper Prior by Knotty Oar Marina.
- c) Christian Morkeberg – 17556 Vergus Ave
- i) Encouraged board to pass ordinance for extending frontage minimums for controlled access lots.
 - (1) Staff noted that Scott County Mooring Ordinance addresses frontage minimums for controlled access lots on Spring Lake with reference to Prior Lake’s Ordinance.
 - ii) Noted that after 17 years working with PLSLWD that in 2020 Spring Lake met all minimum pollution standards for the first time in years. If these standards hold for 5 years, Spring Lake can be removed from the impaired waters list.
 - iii) Asked the board to pass ordinance restricting the renting of boat slips and to follow the recommendations for Prior Lake.

3) **Agenda Items**

- a) Country Prime Time - Renewal of Liquor License- Staff presented request on behalf of Country Prime Time for renewal on/off sale and Sunday liquor licenses. After reviewing the Scott County Sheriff’s incident report for the last twelve months, Kowalski made a motion to adopt Resolution #20-022 supporting renewal of an on-sale, off-sale and Sunday liquor license for Country Prime Time. Kelley seconded. Approved 3-0.
- b) Minnesota Horse & Hunt Club - Renewal of Liquor Licenses- David Penn, Food and Beverage Director at Minnesota Horse and Hunt Club, requested renewal of on-sale and Sunday liquor licenses. After reviewing the Scott County Sheriff’s incident report for the past twelve months, Berens made a motion to adopt Resolution #20-023 supporting renewal of an on-sale and Sunday liquor license for Minnesota Horse & Hunt Club. Kelley seconded. Approved 3-0.
- c) Doherty’s Tavern - Renewal of Liquor Licenses- Staff presented request on behalf of Doherty’s Tavern for renewal of on/off sale and Sunday liquor licenses. After reviewing the Scott County Sheriff’s incident report for Doherty’s for the past twelve months, Kelley made motion to adopt Resolution #20-024 supporting renewal of an on-sale, off-sale and Sunday liquor license for S.S.K. Group, L.L.C. d/b/a Doherty’s Tavern. Berens seconded. Approved 3-0.
- d) Discuss/Review Year 1 of Prior Lake’s Mooring Ordinance- Staff provided review: November 4, 2019 the City of Prior Lake passed amendments to the zoning code related to personal boat slips and mooring facilities to limit homeowner associations one slip per every 40 feet (up from one per 18.75 feet), decreasing the number of slips to 5 (from 6) per property and limiting usage of slips to the owner of the property or immediate family, prohibiting use of slips by non-residents unless the property owner is not using the slip and has a tenant/boarder. Because of COVID, Spring Lake

Township did not have a public hearing nor pass the ordinance but agreed to review in a year. Staff asked the City of Prior Lake to share results from the first year. Casey McCabe reported that they received 42 resident-initiated complaints. Approximately 30 boats have been removed – primarily from ongoing and known violators. The cost of the first-year enforcement was greater than anticipated with more investigation required than initially contemplated as information provided by residents was insufficient for enforcement. Over half of the complaints were found not to be in violation or complied voluntarily. The remaining properties have either been issued citations and are pending court action or are still awaiting information.

Maureen Reeder – 2850 South Shore Drive. Commented that she would like to see the same mooring and dock ordinances in Spring Lake Township and asked the Board to consider having a hearing. She noted that Prior Lake’s ordinances cover Upper/Lower Prior and Spring Lake but for 1/3rd of Spring Lake that is in the township and is concerned about uncontrolled growth in the use of docks. She explained that there were many people on the task force that developed the ordinance amendments including members of the citizen advisory committee, lake associations and residents from the city and the township and that the ordinance amendments were overwhelmingly passed. Reeder noted the importance, as with the no-wake policy, to have consistent policies when it impacts the entire lake. She added that it was a good time to host a public hearing so that people could plan for the changes for Spring 2021.

Tom Quinn- 1796 Spring Lake Circle. Reiterated the results from Prior Lakes first year and emphasized that there were no complaints on Spring Lake. He asked that concerns about costs for and time for enforcement be addressed as the Sheriff’s Department is already limited in its ability to enforce parking at the public launch. He took issue with the ability for the city or township to limit who can use someone’s dock. He noted that the issue about large developments in this area is not a concern because nothing can develop until sewer and water is available or the area is annexed and asked that any decision wait until the area is annexed by Prior Lake.

After discussion, the Board stated that a public hearing date would be set to get more public input as this meeting was meant as a review of Prior Lake’s Ordinance. Berens explained that having a public hearing does not mean that the Board will act. Kowalski made a motion to have a public hearing at the December 10th Board meeting. Berens seconded. All in favor. Berens asked that staff urge residents to find a representative to bring forth their concerns or send in written comments to limit the number of people at the hearing as a result of COVID concerns.

- e) Discuss Overlay Project on Prairie Hills Lane- Stordahl explained that Credit River Township (CRT) has initiated a mill and overlay project that includes Prairie Hills Lane which is shared between CRT and Spring Lake Township. Overall project cost is approximately \$1.2 million. CRT has estimated the cost to Spring Lake Township is \$21,000. Stordahl noted that for flex seal and seal coat it would cost \$10,000 (\$6.94 linear foot v \$14.00 per foot). Stordahl explained that CRT’s maintenance is more expensive but a good result. Berens noted that Spring Lake Township’s policy is that mill and overlay projects are considered maintenance and are not assessed to the benefitting residents. Berens stated that mill and overlay for a 20 year old road is reasonable. Berens made motion to approve \$21,000 for mill and overlay project for Prairie Hills Lane in conjunction with CRT project. Kowalski seconded. All in favor.
- f) Consider Resolution Designating Annual Polling Place- Staff presented Resolution 20-021 designating 2021 polling place as Spring Lake Town Hall located at 20381

- Fairlawn Avenue. Kelley made a motion to approve resolution 20-021 naming Spring Lake Town Hall as polling place for 2021. Berens seconded. Approved 3-0.
- g) Consider Resolution to Transfer Excess Cares Act Funds to Another Government Entity- Staff shared that after COVID related expenses have been primarily accounted for, approximately \$18,000 remains unspent and that those funds could be transferred to Scott County to help with programs as determined by the Board for food support, housing assistance, business assistance, broadband and schools. Staff suggested \$13,500 be returned to County programs designated by the Board. Kowalski made a motion to approve Resolution 20-025 Expending Coronavirus Aid Relief and Economic Security Act Funds to Scott County for \$13,500 for Food Program. Kelley seconded. Approved 3-0.
 - h) Review and Approve 2021-2030 Fire Contract with the City of Prior Lake- Kowalski stated that he has been working with the City of Prior Lake and Credit River Township to renegotiate the contract. Initial concern was language for towns opting out and obligation to continue to pay for capital expense. A change to a Fire District was explored but after discussions the proposed changes to the contract include financing annual equipment replacement and facility repairs on a pay-go basis, financing major replacements and repairs with debt that follows the Prior Lake's debt repayment schedule of ten years, and funding for the Prior Lake's administrative costs of \$32,000 at 2% increase year over year and a decrease in the +/- to 5% from 7%. Berens made motion to approve 2021-2030 Fire contact. Kelley seconded. Approved 3-0.

4) Engineer's Report

Stordahl presented the November Engineer's Report.

- a) CH 21/CH 87/170th Street Intersection Improvements – No changes from previous month.
- b) Mushtown Road – The project has been awarded to Northwest Asphalt. The project is substantially complete. The areas that were seeded with blanket are growing nicely, and areas that were hydroseeded need a chance to better fill in before the project silt fence is removed. Because of the early snowfall, this should wait until 2021 season. Busse field access has been replaced.
- c) McMahon Lake Outfall – In 2019, Scott County WMO has contracted with WSB to explore options for providing McMahon Lake with an outlet. They presented an option that constructs a pipe system from the southwest corner of McMahon Lake west to Saint Catherine Lake in Cedar Lake Township, with an estimated cost of \$469,000. The WMO has allocated \$130,000 for the project and was also able to secure a \$130,000 grant. The WMO is looking for Township participation in the project. This project received funding through the State Bonding Bill.
- d) CH23/CH68 Intersection Accidents – No changes from previous month.
- e) McMahon Lake Boat Ramp – At the September Board Meeting, the possibility of adding additional parking spaces through a grant program available from the State. It was agreed that we would check with the DNR to see if they were interested in such a plan, if the grant program has any money available, and if the property owner would be willing to sell the needed property. If any of these things do not fall into place, the project would not move forward. Rachel Henzen of the DNR returned Stordahl's call, but seemed very cool to any kind of project at this location.
- f) Prairie Hills Lane – Credit River Township has prepared a Feasibility Report to mill & overlay a little more than 6 miles of roads, including Prairie Hills Lane. The proposed Spring Lake Township cost for this portion of the project is \$21,000 (approved above).

g) Miscellaneous

- i) Resident Field/Ditch drainage issues (Jerry Roach property) –Utility locates were requested, but the locating service marked the wrong areas. Cement pipe (may be installed at the wrong angle) located connected to corrugated steel and then plastic. Temporarily filled and will try to clean out culvert and then televiser pipe his is being redone and the work has commenced.
 - ii) MS4 Inspections – Pond and outfall inspections have been completed. New ponds are being added to the inventory list and the report finalized. On November 16th, the PCA will issue a new permit that will have some modified requirements. We do not yet know what the new requirements are going to be, but the big changes will surround the permit fees. Currently, permit fees are collected once every five years. The new permit will include an annual fee based on population. It is anticipated that the overall permit fees will be significantly increased.
 - iii) Pothole Patching Project – All of the potholes have been filled. The patching work has been completed and a pay request submitted. The patching work was completed in poor weather conditions, during the October snowstorm. Long delays as a result Prior Lake Blacktop -subgrade was very wet and we'll want to monitor these areas to assure a quality product has been provided and that they won't need to be removed and replaced.
Also included with the patching project was paving the driveway apron at the Shaver property (5591 180th St). Residents have been advised that the areas adjacent to the driveway apron will be dressed with topsoil and seeded, and that it's important to stay off of these areas until the seed gets a chance to take root. In the event that these areas are damaged, the contractor would not be responsible for any repairs.
Berens asked for update on Resident complaint on 195th where an obstruction is blocking water flow and there is no easement. Stordahl worked with County to gather information about easement and found recorded document that any drainage issues would be the neighbor's responsibility and not the responsibility of the township. Stordahl noted road is not impacted nor is the home structure impacted.
- h) Developments
- i) Stordahl contacted Prior Lake Project Engineer asked about plans to extend Fish Point Road to Mushtown. The neighborhood around Fish Point is multi-home and Stordahl asked to have a transition from townhomes to single family to allow area to blend in better with single family homes in Spring Lake Township
 - i) Orderly Annexation Agreement – No changes from previous month.

5) Road Report

- a) Last ditch mowing done prior to snow.
- b) Roads graded and in good shape.
- c) No road issues.
- d) Garbage:
 - i) Recliner on Meadowlark removed.
 - ii) Adopt -a-Highway bags on 170th picked up.

6) Town Hall and Parks Report

- a) 2 – 10ft long benches ordered for total of \$1382 for social distancing by playground.
- b) Old benches removed, volleyball court sand removed and regraded, pipe under black top near pavilion removed.

7) Water Resources Report

- a) Mike Myser’s position on PLSLWD is open and interviews will likely be in early 2021.
- b) Staff shared Watercraft Inspection Report:
 - i) 499.5 hours spent on Spring Lake, 200 on Upper Prior, 200.25 on lower prior.
 - ii) 5,015 inspections from May-September. 3,537 entering inspections, 1475 exiting inspections, 3 courtesy inspections.
 - iii) Found aquatic plants (54 times entering/228 times exiting), mud (14 times exiting) and zebra mussels (0 times entering, 2 times exiting).
 - iv) New electronic boat inspection pilot project approved at Spring Lake Boat Launch for 2020. More details to come.

8) Treasurer’s Report

- a) Johnson presented the October, 2020 Treasurer’s Report. In October total receipts were \$935,496, total disbursements were \$494,255 and the ending cash balance was \$2,309,179.63. Kowalski made a motion to approve the October, 2020 Treasurer’s Report. Berens seconded. All in favor.

9) SCALE

- a) November 13th Meeting Items
 - i) Legislative priorities which will be presented to legislators in December 2020.
 - ii) Update on government center project.

10) New Business/Old Business

- a) Lisa Quinn elected new Board Supervisor- Seat B
- b) Discussion of continuation of in person board meetings. Kowalski asked if everyone is comfortable with in-person meetings, no objections from staff or Board. Berens noted that only concerns is at public hearing and asked that staff asked for written comments to be submitted in writing to Clerk or given to representative to limit numbers in hall.

11) Approval of Disbursements -The Board reviewed the November, 2020 disbursement ledgers and approved checks numbered, 13324 to 13371, to be issued. The checks were signed and given to Hanson for mailing.

There being no further business before the Board, Kelley made a motion to adjourn. Berens seconded. All in favor. The meeting was adjourned at 8:30 p.m.

Melissa Hanson, Clerk
Spring Lake Township

Minutes approved _____

Thaddeus Kowalski, Chairman

Melissa Hanson, Clerk