

Springvale Township Policy #101-09

Road Paving Assessment

WHEREAS: The Township of Springvale is periodically called upon by its residents to pave its roads, and

WHEREAS: by Minnesota Statute 429 the Township of Springvale must deal with such requests in a timely and orderly manner, and

WHEREAS: The Township of Springvale finds it necessary to protect the financial interest of the Township and its residents, and

WHEREAS: in November of 2003 the Township of Springvale and its elected Supervisors adopted a policy to deal with paving requests in the following manner:

The residents need to recognize the process and its ramifications- they will be assessed their share, as per individual, of the cost of the improvements according to state law 429, and the subsequent rise in property valuation.

Field Code Changed

- I. *The Township receives a request for road or street improvement.*
- II. *The Township Board holds a "Neighborhood Meeting" to explain the 429 process before providing a petition for improvement.*
- III. *The Residents get a petition signed and return it to the Township Clerk.*
- IV. *Township Clerk checks the petition to verify that the number of properties that have signed the petition are valid. i.e...all owners listed on the tax roll of a property must sign to count that property, all signers are on the impacted roadway...etc.*
- V. *The petition is placed on the next Township Board meeting for action.*
 - A. *35% of benefitted properties signing requires the Board to consider (see policy below) the petition, not necessarily approval to proceed with the improvements.*

Field Code Changed

Policy: *The Township Board of Springvale Township will consider petitions for improvement of the Townships roads, under Chapter 429, if: Thirty five percent (35%) of the properties which stand to benefit from said improvements have signed. All landowners of record, i.e. on the County Tax Rolls must sign. The Township Board of Springvale Township will proceed when there are 51%, i.e. Fifty One or greater percent (51% or more).*

- VI. *The Township of Springvale Board of Supervisors, in order to proceed, will, by resolution, accept the petition and order the Township Engineer to proceed with a feasibility study on the improvements requested.*
- VII. *The Township Engineer completes the feasibility study and advises the Board of the results of the feasibility study and the anticipated costs of the improvements.*
- VIII. *The Town Board of Springvale orders, by resolution, the Township Engineer to prepare the plans and specification, advertise the project and obtain bids for construction.*

IX. *The bids are received, tabulated, and presented to the Township Board. The Board orders, by resolution, the Public Improvement hearing, preparation of the assessment roll, and the assessment hearing.*

X. *The assessment roll is prepared, mailed and published notices are sent out. The two (2) hearings are held. (usually on the same night as a Town Board Meeting).*

XI. *Barring appeal, the Township Board orders, by resolution, that the improvements will be made.*

The improvements are completed and the assessments are levied against the benefitted properties.

THEREFORE: be it resolved that the Township of Springvale adopt the following policy regarding the assessment of fees necessary to follow the desires of the votaries of the Township of Springvale regarding the paving of Township roads, in accordance with its own stated and unstated policies.

- I. The Township of Springvale will accept *Five percent (5%)* of the cost of such paving project and will assess the balance to the affected landowners of record.
- II. The Township of Springvale will view properties for the purpose of said assessed costs as: The number of possible residential unit lots available with frontage on the proposed road paving project.
- III. The Township of Springvale will finance the proposed project for a period of Ten years (10), and will assess the property; said assessment will remain with the affected property in cases of sale or transfer or any other unexpected change of ownership.
- IV. The Township of Springvale will charge the assessed property the actual rate of financing per bank loan or bond sale plus a cost of one and one half percent (1 ½%) over such rate in order to recoup upfront administrative costs.
- V. The Township of Springvale will allow a Hardship Deferment of assessed costs per our in place policy of that name.
- VI. The Township of Springvale will ask for and allow a constant principal payment, which allows the payment to decrease over time as the amount of interest accrued declines.
- VII. The Township of Springvale will allow for early payment of assessed fees.

Approved policy on July 1, 2009

Roger McNear, Chairman

Attest: _____

Michelle Kleven, Clerk

Comment [BDM1]: Oak Grove has gone back to having the public improvement hearing after the feasibility study and before proceeding with the plans and specifications. If the neighborhood appears to be strongly against the project at this time, you could save the cost of preparing the plans and specifications.