

**EUREKA TOWNSHIP
DAKTOA COUNTY, MINNESOTA**

EUREKA TOWN BOARD MEETING

April 11, 2016

CALL TO ORDER

Chair Brian Budenski called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was given. Town Board Supervisors present were Brian Budenski, Dan Rogers, Carrie Jennings, Cory Behrendt and Lu Barfknecht. Planning Commission Chair Nancy Sauber, Township Attorney Chad Lemmons, Clerk Mira Broyles and Treasurer Marcia Wilson were also present. See attached list for others in attendance.

APPROVAL OF THE AGENDA

Additions to the agenda were made as follows:

Old Business:

- A. Airlake Annexation

Motion was made by Chair Budenski, seconded by Supervisor Rogers to approve the agenda as amended. Motion carried 5-0.

TREASURER'S REPORT

The Treasurer's Report was given by Treasurer Marcia Wilson (*see attached report*).

Motion was made by Chair Budenski, seconded by Supervisor Jennings, to accept the Treasurer's Report dated April 11, 2016. Motion carried 5-0.

The claims and receipt lists and outstanding invoices were reviewed.

Motion was made by Chair Budenski, seconded by Supervisor Behrendt, to accept the bills and receipt list. A roll call vote was taken. Ayes: Unanimous.

Chair Budenski stated he was continuing discussion with Dakota County regarding the Chub Lake culvert replacement expenses.

Public Comment

Carol Cooper, 26437 Galaxie Avenue, stated she wanted to make everyone aware that mail was being stolen in the area by forgers.

Contractor Time

Bryce and Jason Otte, Otte Excavating, discussed the frost boil issues on the Township roads. The need to replace several signs throughout the Township was discussed, along with the ongoing debris dumping issue.

Building Inspector Update

Building Inspector Darrell Gilmer provided an update on on-going inspections. Discussion was also held regarding the complaint follow up at 8150 250th Street. It was noted that the owner of the property had been given until April 1, 2016 to bring the property into compliance with Ordinance 3 relating to the storage of junk vehicles. Mr. Gilmer stated that the property owner is in the process of removing junk vehicles and debris from his property. He is also in the process of selling miscellaneous equipment that has been stored on the property. Pictures of the site were provided. Mr. Gilmer recommended a 90 day extension be given.

Motion was made by Supervisor Behrendt, seconded by Chair Budenski, to grant a 90 day extension to the property owner of 8150 250th Street West to remove junk vehicles and debris. A report is to be given at the July Board meeting. Motion passed unanimously.

Consent Agenda

Minutes of the March 14, 2016 Town Board Meeting.

Motion was made by Chair Budenski, seconded by Supervisor Jennings, to approve the minutes of the March 14, 2016 Town Board meeting as presented. Motion carried unanimously.

Minutes of the March 29, 2016 Town Board Reorganizational Meeting.

Clarifications regarding the Supervisor seconding several motions was made, along with the addition of meeting date clarification.

Motion was made by Supervisor Behrendt, seconded by Supervisor Barfknecht, to approve the minutes of the March 29, 2016 Town Board Reorganizational meeting as amended. Motion carried unanimously.

Planning Commission Update

Planning Commission Chair Nancy Sauber provided a summary of the April 4, 2016 Planning Commission meeting, noting recommendations for land use permits before the Board.

Land Use Permits

David and Nancy Cook, 24485 Denmark Avenue – Lot Split Application. It was noted that the Planning Commission recommended approval of the lot split.

Motion was made by Supervisor Jennings, seconded by Supervisor Behrendt, to approve a lot split application for David and Nancy Cook, 5886 245th Street, PIN 130140080011.

Motion carried unanimously.

Real Tree Church, 26009 Galaxie Avenue – Conditional Use Permit for a Church. Shon McIntyre and Carol Cooper were present representing Real Tree Church.

Discussion was held regarding turn lanes not being installed before services can be held and compliance with Dakota County requirements. It was agreed that installation of the turn lanes could be delayed if evidence from Dakota County, indicating their approval, is submitted to the Township . It was agreed that fire lanes are to be installed prior to services being held. It was noted that the number 8 of the Findings of Fact be amended to read as follows:

8. That the Town has approved a minor subdivision separating the Chub Lake Feed Building parcel, which is described on Exhibit A hereto, from the remaining parcel. That the preexisting parcel is subject to the provisions of Minnesota Statute Chapter 40A entitled the Agricultural Land Preservation Program. That at the time the application for Agricultural Preserve status was submitted to the Town it was presumed both by the applicant and the Town that the Chub Lake Feed Building would be excluded from the Agricultural Preserve. That it was never the intent of the Applicant or the Town to include the Chub Lake Feed Building as part of the Agricultural Preserve.

Conditions of the conditional use permit were amended as follows:

6. Any signs shall be placed 15 feet back from the road right of way.

9. Any work on the property shall show substantial progress within six months of the date of the permit.

10. Annual review of the conditional use permit – deleted.

New 10. Fire lanes shall be in place prior to services being held.

11. The property must be in compliance with Dakota County decision regarding the installation of turn lanes prior to services being held. Written evidence from the County shall be provided to the Township.

Motion by Supervisor Behrendt, seconded by Supervisor Jennings, to approve a Conditional Use Permit for Real Tree Church based on the Findings of Fact with noted changes and conditions with noted changes. Motion carried unanimously.

Motion was made by Chair Budenski, seconded by Supervisor Behrendt to approve a building permit for Real Tree Church, 26009 Galaxie Avenue, to remodel and add to the existing building. Motion carried unanimously.

Jeff and Andi Krapu, 24315 Dodd Boulevard – Exempt Agriculture Building Permit.

Butch Hansen, representing the applicants, discussed the proposed three sided livestock shelter.

Motion was made by Supervisor Behrendt, seconded by Supervisor Rogers, to approve an Exempt Agriculture Building Permit for Jeff and Andi Krapu, 24315 Dodd Boulevard. Motion carried unanimously.

It was noted that no boarding of horses is allowed.

Pat Haugen, 5845 265th St. W. – Building Permit Application for a remodel. It was noted that the Planning Commission recommended approval of the building permit.

Motion was made by Supervisor Behrendt, seconded by Supervisor Miller, to approve a building permit for Pat Haugen, 5845 265th St. W. for a remodel. Motion carried unanimously.

OLD BUSINESS

Annexation of Airlake Airport.

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Discussion was held regarding a proposal to the Metropolitan Council regarding the Township providing water and sewer services to the Airlake Airport property. Chair Budenski stated he would follow up with Patrick Boylan at the Metropolitan Council in regard to a checklist for such a proposal that was to be sent to the Township.

Allen Novacek expressed his opinion on the approach to be made to Metropolitan Council.

Motion was made by Supervisor Behrendt, seconded by Supervisor Jennings, to direct the Township Attorney to draft a letter to the Metropolitan Airports Commission indicating the Township's intention to work with both the Metropolitan Council and the Metropolitan Airports Commission to present an initial proposal to the Metropolitan Council regarding providing water and sewer services to the Airlake Airport property. Motion carried unanimously.

Motion was made by Supervisor Behrendt, seconded by Chair Budenski, to direct the Planning Commission to leave a place marker in the updated Comprehensive Plan indicating water and sewer services may be provided to the airport property. Motion carried unanimously.

NEW BUSINESS

Newsletter. Jody Arman-Jones discussed a draft of the upcoming edition of the Township newsletter. Discussion regarding the cost for ads in the newsletter were discussed.

Mike Northrup, Ag Preserve Reenrolling Application. It was noted that Mr. Northrup could not be present at the meeting.

Motion was made by Supervisor Behrendt, seconded by Supervisor Barfknecht, to approve the reenrollment of land into the Metropolitan Agricultural Preserve for Mike Northrup, Property Identification Numbers 130100075010, 130140002010, 130110050010. Motion carried unanimously.

Complaints

It was noted that two complaints had been filed with the Clerk. Supervisors Jennings and Barfknecht were assigned to investigate complaint identified as number one. Supervisors Budenski and Rogers were assigned to investigate complaint identified as number two. Both complaints will be discussed at the May Town Board meeting.

Planning Commission Vacancy.

Two applicants for a vacancy on the Planning Commission were allowed to make statements.

Butch Hansen stated he had expressed interest in returning to the Planning Commission due to concern over commitment of the current members. He noted there were members that were not showing up at meetings/public hearings.

Ralph Fredlund stated he is retired and would have the time to commit to the Commission. He stated that due to his profession, he would have an analytic view on issues.

Paper ballots were cast. Ralph Fredlund was appointed.

Attorney Lemmons and the Board discussed the partition fence statute and the proposed fence ordinance.

Motion was made by Supervisor Behrendt, seconded by Supervisor Jennings to direct the Planning Commission to hold a public hearing regarding amendments to existing ordinances pertaining to fences and review of a proposed fence ordinance. Motion carried unanimously.

Clerk Update

The Clerk reviewed assignments given to the Township Attorney and the Clerk.

Motion was made by Chair Budenski, seconded by Supervisor Behrendt to adjourn the meeting at 9:50 p.m. Motion carried unanimously.

Respectfully submitted:

Mira Broyles, Clerk