

Eureka Township
Dakota County
State of Minnesota

Eureka Town board Meeting
January 10, 2005

Call to Order

Chair Don Pflaum called the regular monthly meeting of Eureka Township to order at 7:05 PM. Present were Supervisors Don Pflaum, Connie Anderson, Kenny Miller, Dan Rogers and Mark Malecha. Clerk/Treasurer Nanett Leine, to record the minutes.

The meeting opened with the Pledge of Allegiance.

Approval of Agenda

Additions to the agenda: Town Hall Update, grand opening.

11. Meetings: 265th St Bridge grand opening. February 17, 2005. 4:00 pm

A motion by Supervisor Kenny Miller: To approve the agenda as amended. Motion seconded by Supervisor Dan Rogers. Motion carried.

Minutes:

A motion by Supervisor Dan Rogers: To approve the Regular Town Board Meeting Minutes of December 13, 2004 with the following corrections: Page 1- Motion to approve November 8, 2004 minutes was made by” Supervisor Kenny Miller”. Page 3- Contract- add: “The road contract was signed by Chris Nielsen the morning of December 13, 2004.”
Motion seconded by Supervisor Connie Anderson. Motion carried.

A motion by Supervisor Connie Anderson: To approve the Special Meeting Minutes of December 15, 2004 as presented. Motion seconded by Supervisor Dan Rogers. Motion Carried.

A motion by Supervisor Kenny Miller: To approve the Special Meeting Minutes of December 29, 2004 as presented. Motion seconded by Supervisor Mark Malecha. Motion Carried.

A motion by Supervisor Connie Anderson: To approve the Special Meeting Minutes of January 3, 2005 as presented. Motion seconded by Supervisor Kenny Miller. Motion Carried.

Correction to Past Minutes:

The list of presented bills inserted in the Eureka Town Board Meeting Minutes of June 14, 2004 was incorrect. The attached bill sheet that was approved and signed by the town board at the meeting reflected the correct bills. This sheet was presented to the town board and corrections were made to the minutes.

A motion by Supervisor Mark Malecha: To approve the corrected minutes from June 14, 2004. Motion seconded by Supervisor Kenny Miller. Motion Carried.

Correction to: December 6, 2004 Open meeting Minutes and December 6, 2004 Closed Meeting Minutes. Supervisor Mark Malecha was listed as a participant, he was not present at these two meetings, due to a possible conflict of interest.

A motion by Supervisor Kenny Miller: To approve the changes to the minutes of the two meetings on December 6, 2004. Motion seconded by Supervisor Connie Anderson. Motion Carried.

Treasurer's Report

Treasurer Nanett Leine reported that there is \$858.83 in checking, \$231,994.54 in the savings account and \$122,424.51 in savings (Former CD). The liability accounts reflect a zero balance, except federal tax liability has a 1 cent balance.

Motion by Supervisor Mark Malecha: To approve the treasurer report as presented. Motion seconded by Supervisor Dan Rogers.

\$409,899.60 has been borrowed against the New Town Hall Loan. A motion by Supervisor Kenny Miller: To approve the balance on the town hall loan. Motion seconded by Supervisor Connie Anderson. Motion Carried.

Bills and Receipts

Clerk/Treasurer Nanett Leine presented the following bills for payment:

Mark Henry Excavating LLP	Road Maintenance	1754.50
Frontier Communications	office phone	\$86.45
Frontier Communications	town hall phone	\$119.77
Dakota Electric	Electricity	\$112.03
ECM Publishers, Inc.	legal ads	\$29.25
Murnane, Conlin, White & Brandt	legal fees	\$4,329.18
Cannon Valley Coop	LP	\$217.56
Dakota County Treasurer- Auditor	Salt and Sand	\$99.00
Larry Sauber	mowing ditches 2004	\$6,067.00
Twin Cities Flag Source	flag poles & Flags	\$1,920.20
Blue Earth Internet LLC	website hosting 2005	\$348.00
Nanett Leine	payroll 12/1/04 to 12/31/04	\$1,724.85
Nanett Leine	office expense	3,394.60
PERA	payroll 12/1/04 to 12/31/04	\$217.12
State of Minnesota	Sales and use tax 2004	\$31.00

The ditch mowing bill presented from Larry Sauber was discussed. The bill seemed high. It was the mowing bill for the entire year. The road side was mowed twice. The bill was approximately the amount budgeted.

A motion by Supervisor Mark Malecha: to approve payment of December's bills totaling \$21,020.17. Chair Don Pflaum requested payment for meetings he attended in 2004, that were not paid as part of the December bills. (He did not turn in his time sheet, when due and had not received payment for special meetings attended outside of regular township meetings.) The town board consented to make payment for these meeting as part of the bills being paid tonight. Supervisor Mark Malecha with drew his motion. Approval of the minutes will be later

in the meeting, so the clerk can figure the payroll and generate checks. A check for Corey Behrendt will also be generated; he has meetings from 2004 that had not been paid, because his time sheet was not turned in prior to the December Meeting.

Contractor Time

The road contractor contacted the county about signage in the township. They do not have staff that performs road/ signage checks in townships. A county engineer could do it on the side. Earl F Anderson will do a sign layout in Eureka Estates at no cost, if signs are purchased thru them.

Guard rails at the new 265th Street bridge are approx. \$8,500 plus installation.

Road Supervisor Dan Rogers and road contractor, Chris Nielsen inspected township ditches; there is brush and trees that should be removed. The road contractor will work under the direction of the road supervisors in removal of trees and brush.

Road Contract

A letter from the township association attorney on the road maintenance contract was presented. (*see attached*) The partnership was not dissolved on December 31, 2004. It has been renewed with one new partner. Supervisor Connie Anderson will follow up on this matter.

Deputy Sheriff Jennifer Lenarz

Introduced herself those present, she addressed citizens concerns. Supervisor Don Pflaum addressed concerns he had over sheriff response times to incidents in the township. He feels that more patrol officers are needed. These concerns will be addressed at a special meeting.

Planning Commission Land use permits and Related Items:

Consent agenda Building Permits

Bob Crooks – 24645 Iceland Path (Property ID# 13-24660-010-08) requested a building permit for an addition to an existing pole shed 40' x 44' with 14' sidewalls, for personal use.

Igor Fejda – 24545 Highview Ave. (Property ID# 13-01700-010-77) requested a building permit for a 3 sided pole shed 20' x 24' with 10' sidewalls.

A motion by Supervisor Mark Malecha: To approve the two consent agenda items as presented. Motion seconded by Supervisor Connie Anderson. Motion Carried.

Wat Lao Review of CUP

Under the Conditional Use Permit issued to Wat Lao of Minnesota on December 10, 2001 a representative was to be in attendance at the December Town Board Meeting. A certified letter will be sent requesting that a representative be present at the February Town board meeting, so the review of their CUP can take place.

Krapu/ public hearing minutes

The clerk needs approval, by the planning commission of the continued public hearing minutes before the affidavit can be signed turning public records over to the court. This will not be

done until the February Planning commission meeting. The planning commission has asked to review the tape before approving the minutes.

Addition to Agenda: A motion by Supervisor Don Pflaum: To add to the agenda- Legal Non Conforming Use Registrations. Motion seconded by Supervisor Kenny Miller. Motion Carried.

Supervisor Don Pflaum felt that a list of the Businesses located in Eureka Township that have registered under the non conforming use, as outlined in Ordinance 20, Section 5.4 and 5.5 should be recognized by the town board that they have registered. (*See attached list*).

A motion by Supervisor Kenny Miller: To accept the list of Non Conforming Use Registrations received by the planning commission. Motion seconded by Supervisor Mark Malecha. Motion Carried.

Building Inspector

Building Inspector, Bob Hegner reported that he had been in contact with Carlson's on septic compliance/ obtaining a permit. He will continue to follow up on this matter.

Highview Church has been issued a temporary occupancy permit until the kitchen is completed.

Old Business

A. Sheriff Issues

This will be addressed at a separate "Public Safety Meeting" on their availability. To discuss options and costs.

B. Centurytel Fiber II

No new information presented.

C. AT & T Facility Cedar and 250th St.

No new information presented. Supervisor Mark Malecha will continue on follow up.

D. Country Joe Racing

The letter from the Law Office of Siegel, Brill, Greupner, Duffy & Foster, P.A. representing Country Joe Racing attached to their non conforming use registration has been forwarded to the township attorney for comment. A written response from our attorney is expected before the next town board meeting. (*letter attached*)

E. Vermillion River Water Shed

The proposed watershed plan is currently being reviewed and is open for comments. Supervisor Don Pflaum and Supervisor Dan Rogers will follow up. There is a bill at the State Legislature proposing a \$36.00 fee to all Minnesota residents for impaired waters.

F. Elko / New Market Septic Treatment Facility & Interceptor line

MPCA Board Meeting is January 25, 2004. The time will be set prior to the meeting date.

G. 265th St Bridge update

The date for the grand opening of the bridge was set for Thursday February 17, 2005 at 4:00 pm. A post card will be mailed to citizens informing them of the grand opening ceremony. Invitations will be sent to legislatures and governor inviting them to the ceremony.

H. Audit

The audit of the town clerk/ treasurer books for 2004 is scheduled for January 18th and 19th.
Town board discussion of the 2005 audit will be added to the September 12, 2005 Town Board Meeting Agenda.

Addition to agenda: A motion by Supervisor Connie Anderson: To add to Old Business J. Budget/ Annual Meeting Motion seconded by Supervisor Dan Rogers. Motion Carried.

I. Town Hall Update, Dedication

Grand opening for the New Town Hall will be at the annual meeting on March 8, 2005. Ribbon cutting ceremony at 8:15 pm. A recognition plaque for the land donation will be purchased by the town clerk.

J. Budget/ Annual Meeting Preparation

Meeting set for February 7, 2005 at 7:00 pm in the conference room at the new town hall.

New Business

A. 2005 Board of Appeals and Equalization

Tues April 26, 2005 at 4:00- 5:30 pm

B. MET Council- draft- Water Resource Management Policy public hearing 2/8/2005

C. Elections- appointment of judges

Minimum voting hours are from 10:00 am to 8:00 pm. These will be hours the township will use for the March 8, 2005 township election. The clerk asked for a pay increase for election judges. No increase of pay was granted. It will be discussed at the budget meeting. The clerk does not have a complete election judge list. Appointment of election judges will take place at the January 24, 2005 Special Town Board Meeting.

Addition to agenda: A motion by Supervisor Kenny Miller: To add Aggregate Meeting. New Business D. Motion seconded by Supervisor Mark Malecha. Motion Carried.

D. Aggregate Meeting

Supervisor Kenny Miller reported on the aggregate meeting held by Dakota County. They are redoing their planning and comprehensive use. They are reviewing suggested amendments to their comprehensive use. The town board is invited to make comments.

Bills and Receipts Continued

Additional Bills presented for payment:

Don Pflaum	additional supervisor payroll 2004	\$323.23
Don Pflaum	expenses 12/1/04 to 12/31/04	\$52.50
Corey Behrendt	additional pc payroll 2004	<u>\$193.93</u>
TOTAL BILLS PRESENTED		\$21,020.17

A motion by Supervisor Mark Malecha: To approve December Bills. Motion seconded by Supervisor Connie Anderson. Motion Carried.

Approval of December receipts

The following receipts were deposited in December:

• <u>Non Conforming Use Registrations</u>			
Lackore	\$50.00	Commercial Door Construction	\$50.00
Heintz	\$50.00		
• <u>Other Receipts</u>			
Dakota County- <i>Delinquent taxes</i>	\$899.42	MATTIT- <i>refund overpayment</i>	\$38.00
Dakota County- <i>current tax</i>	\$140,000.00	Earned Interest- <i>savings account</i>	\$839.06
Canadian Pacific Railways- <i>bridge</i>	\$10,000.00		
Dakota Electric- <i>Capital Credit</i>	\$5.41	Earned Interest- <i>former CD</i>	\$682.92
State of Minnesota- <i>MV Credit</i>	\$6,159.05		
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Total Receipts in November			\$158,773.86
Subtract overpayment check # 4427			<u>-\$38.00</u>
Actual Income			\$158,735.86

A motion by Supervisor Connie Anderson: To approve November receipts as presented. Motion seconded by Supervisor Dan Rogers. Motion Carried.

Other Business

Clerk/ Treasurer Presentation

A motion by Supervisor Kenny Miller: To adjourn. Motion seconded by Supervisor Dan Rogers.

Meeting adjourned at 9:12 pm.