

Eureka Township
Dakota County
State of Minnesota

Eureka Townboard Meeting
January 12, 2004

Call to Order:

Chair Don Pflaum called the regular monthly meeting of Eureka Township to order at 7:00 PM. Present were Supervisors Don Pflaum, Dan Rogers, Kenny Miller, Connie Anderson, Mark Malecha and Clerk/Treasurer Nanett Leine.

The meeting opened with the Pledge of Allegiance.

Approval of Agenda:

A motion by Supervisor Connie Anderson: To approve the agenda as presented. Motion seconded by Supervisor Dan Rogers. Motion carried.

Minutes:

A motion by Supervisor Mark Malecha: To approve the Regular Townboard Minutes of December 8, 2003 as presented. Motion seconded by Supervisor Connie Anderson. Motion carried.

A motion by Supervisor Connie Anderson: To approve the Special Meeting Minutes of January 5, 2004 as presented. Motion seconded by Supervisor Dan Rogers. Motion carried.

A Motion by Supervisor Connie Anderson: To approve the Special Meeting Minutes of January 6, 2004 with the following addition- on Supervisor Mark Malecha's motion, to add 3 nay 2 yeas. The motion was seconded by Supervisor Kenny Miller. Motion Carried.

Treasurer's Report

Treasurer Nanett Leine reported that there is \$1,781.10 in checking, \$208,055.20 in the savings account and \$119,700.93 in savings (Former CD). Federal Tax liabilities are \$2011.70. Minnesota Tax Liabilities are \$46.00. Building Inspection State Surcharge liabilities are \$1,261.95 and County Sewer Inspection liabilities are \$480.00.

Motion by Supervisor Kenny Miller: To approve the Treasurer's report. Motion seconded by Supervisor Mark Malecha. Motion carried.

Bills

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

BeSure Inspection Services	Building & Septic permits	\$305.04
Braun Turf Farms	Road Maintenance	\$7,677.50
Dakota Electric	Electric Bill	\$8.19
Frontier Communications	Telephone- town hall & Internet	\$77.88
Frontier Communications	Telephone- office	\$38.83
Murnane, Conlin, White & Brandt	Attorney Fees	\$3,935.96
Nanett Leine	Payroll 12/1/03 to 12/31/03	\$1,499.94
Nanett Leine	Expenses 12/1/03 to 12/31/03	\$283.78
PERA	Payroll 12/1/2003 to 12/31/03	\$192.17
ECM Publishers, Inc.	Legal Ad- Filing Notice 2 weeks	\$43.75
River Town Newspaper Group	Legal Ad-Election filing notice 2 weeks	\$60.75
Dakota County Treasurer	Notary commission for Connie Anderson	\$100.00
United States Postal Service	625 stamps for newsletter	\$231.25
Cannon Valley Coop	Propane 325.6 gallons @ .93	\$302.81
Allied Test Drilling Company	Borings new town hall site	\$1,375.00
Blue Earth Internet	2004 annual web site hosting	\$348.00
CURA- University of Minnesota	Report printing for open house	\$475.62
IRS	4th Qtr 941 for 2003	\$2,011.70
State of Minnesota	Minnesota 4th Qtr Wage Report	\$46.00
State of Minnesota	Sales and Use Tax	\$10.00
Minnesota State Treasurer	State Surcharge	\$1,220.34
Dakota County Treasurer	Septic 4th Qtr	\$480.00
Dakota County Treasurer	salt and Sand Mix	\$1,646.91
TOTAL BILLS PRESENTED		\$22,371.42

A Motion by Supervisor Kenny Miller: To pay the bills as presented. The motion was seconded by Supervisor Mark Malecha. Motion Carried.

Approval of December receipts

The following receipts were presented to the Town Board in December.

• <u>Building Permits</u>			
Mark Geier- <i>pole shed</i>	\$445.66		
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• <u>CUP</u>			
John Curry- <i>airstrip</i>	\$15.00	Wat Lao of Minnesota	\$15.00
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• <u>Application Fees</u>			
Mark Geier	\$25.00		
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• ***Other Receipts***

John Storlie- 2 RASP Signs	\$23.28	Dakota County- current tax	\$131,000.00
Clark Smith- RASP Sign	\$11.64	Interest- Savings Account	\$667.73
Dakota County- Delinquent tax	\$2,681.98	Interest- Savings Account	\$908.88
Mount Olivet- in lieu of taxes	1,300.00	State of Minnesota	\$8,464.00
Total Receipts in December			\$145,558.17

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

Contractor time

Roads

Clerk/ Treasurer Nanett Leine received a phone call that 1 “dead end sign” was missing and one was damaged at the intersection of Cedar Ave and Granite Path. Supervisor Kenny Miller will inventory the signs in the storage unit and order signs as needed, including the two “no parking this side of street” signs that are needed on Denmark Ave.

There is a couch on 267th Street that needs removed. Supervisor Kenny Miller will check on disposal of the couch and a refrigerator and television that was previously picked up.

Planning Commission Land use permits and Related Items:

Planning Commission Meeting

Consent Agenda

1. Cross Nursery- located on Highview Ave. in Section 5 (Property ID#13 00500 016 75) requested a permit for a pole shed to be used as an office. A Motion by Supervisor Mark Malecha: To approve the permit as submitted. The motion was seconded by Supervisor Kenny Miller. Motion Carried. **Permit # 04-001** **Fee \$1,347.87**

Mr. Cross did not pay for the permit at this meeting.

Buildable Lot Question

Mike Jr., Patty and Michael III Streiff are looking at purchasing land located at Highview Ave and 225th St W Lakeville- 2 acres of Parcel ID# 13-00400-020-28. They would like to put 2 pole sheds on the property a 40’x40’ and 44’ x 100’ building. The larger building would be used for storage of farm equipment and the smaller shed for a repair shop for the farm equipment. Streiff’s currently farm the property owned by Airlake. Supervisor Kenny Miller felt that a CUP was needed, since Streiff’s will not own 10 acres. If they purchased 10 acres a CUP would not be needed. The current owners of the property could apply for the CUP, build the buildings, then split off 2 acres and the building and sell it to the Streiff’s.

Building Permits

Wat Lao of Minnesota requested a permit to build a temple at 22605 Cedar Ave. They are tearing down the existing temple and replacing it with a larger structure. The building inspector has approved the building plans; he set 8 conditions that need to be complied with before the building permit can be issued. These conditions were reviewed, with the representative from Wat Lao. Bob Overby from Dakota County Planning has not sent a letter stating shoreland approval. A letter of compliance for the septic system was received. The parking issue was addressed as requested by the planning commission. There are 150 parking spots up front plus

additional parking west of the new building. Ordinance 18, 3.27 requires at least 1 parking space for every 4 persons. The Town Board felt that there was adequate parking.

A Motion by Supervisor Connie Anderson: To approve the permit contingent on receiving the letter from Shoreland approving the shoreland building. The motion was seconded by Supervisor Mark Malecha. Motion Carried. **Permit # 04-001** **Fee \$8,869.39**

Dave Sellner-24535 Iberia Ave. Lakeville requested a permit to build a 20' x 32' addition to an existing pole shed. The building inspector needs to review the plans.

A Motion by Supervisor Dan Rogers: to allow Mr. Sellner to move forward with the addition. The motion was seconded by Supervisor Mark Malecha. Motion Carried. Upon the building Inspectors approval the permit fee will be set and the building permit will be issued.

Splits

Bob Knutson- requested that the Eureka Town Board approve the split of the following parcel: ID# 13-01900-010-77 consisting of 58 acres located in the E 1/2 of the SE 1/4 EX N 726 FT of Section 19, TWN 113 Range 20. This parcel will be split into 3 parcels. Parcel A consisting of 5.64 acres, Parcel B consisting of 45.6 acres and Parcel C consisting of 6.68 acres. (*See attached split approval form*)

A Motion by Supervisor Kenny Miller: To approve the split as presented. The motion was seconded by Supervisor Mark Malecha. Motion Carried.

Conditional Use Permits

Butch Hansen and Mark Hansen- are requesting permission to put an airstrip at 26120 Highview Ave Farmington on property owned by Charles Hansen Sr. and Mark Hansen. This would be for private use, airplanes such as a 182 Cessna and or Piper Cub. A public hearing for the CUP will be set for February 2, 2004 at 7:30 pm. - following regular planning commission business.

Digital Teleport Inc. CUP for the Regeneration Station 240th St & Hamburg Ave.

A letter was sent on December 18, 2003 to the new owners, Centurytel Fiber Co. informing them that the CUP has expired. (*see attached letter*) There has been no response to this letter. It has been less than 30 days since the letter was sent. The Town Board will address this issue at the February meeting.

Other Business- Planning Commission

Item 1 & 2 will be addressed when the building inspector arrives.

Jonathon Hoes

On January 3, 2004 Bob Hegner, building inspector inspected Mr. Hoes property (*see attached letter*) he feels that Mr. Hoes is compliant with the unlicensed vehicle Ordinance No. 3.

Citizen Complaint (5-20-03)

Building Inspector, Bob Hegner presented the town board with a written statement addressing the complaint. (*See attached statement*). The town board reviewed the document. Mr. Miller, the complainant retracted the complaint. As a board member he does not feel that the building inspector was to "interpret" the Ordinance, but carry out the boards wishes. He does not want to pursue the issue as to conflict with the building inspector's statement. The town board accepted the dismissal of the complaint but does not necessarily agree with Mr. Hegner's interpretation of the Ordinance.

Roads

Update Denmark Ave. near school

The no parking signs have been installed. The posts were put in the ground for the 2 signs that still need to be ordered.

265th St bridge update

The township will need to pick up any costs for temporary easements for the 265th St. Bridge project. Upon completion of the project the property would need to be restored to that of existing prior condition. Mark Malecha will contact Mr. Anton about “right of entry” forms, to be sent to land owners. The 2 road supervisors will continue to work with the County and landowners.

Cooperative Agreement for the Railroad

The attorney and the road supervisors will continue working on the agreement.

Other Planning Commission Business- Continued

ISO- meets with Building Inspector

Insurance Services Office is administering a program called the Building Code Effectiveness Grading Schedule. (See attached information) They will meet with the building official. There is no cost to the township for this program.

Adopt New Building Code

Building Inspector, Bob Hegner explained that the new building codes are not ready for adoption. The town board should stay with the 2000 building codes at this time. He will be gathering more information on the new building codes in March. This item will be placed on the April Town Board Meeting agenda.

Old Business

A. Town Hall Update.

All the paperwork for acquiring the land for the new town hall is back to the attorney. Members of the New Town Hall Task Force include: Supervisor Kenny Miller, Butch Hansen, Chris Nielsen, Kelly Brosseth and Ken DeMaster.

A Motion by Supervisor Mark Malecha: To commission the New Town Hall Task force: to research consulting design firms for the new town hall, to bring a recommendation to the February town board meeting, to hire, to go forth with the plans for the new town hall. The motion was seconded by Supervisor Kenny Miller. Motion Carried.

B. Resolution Establishing a Snow and Ice Policy

Supervisor Dan Rogers made changes to the Sample Resolution Establishing a Snow and Ice Control Policy- from MAT. He had a few questions to direct to the Town Board, before the final copy is drafted. Priority roads include: Denmark, Highview Ave. Secondary roads include 225th, 235th and 240th St.. (This resolution was adopted at the November 10, 2003 Town board meeting.)

C. Audit

Supervisor Kenny Miller, Supervisor Don Pflaum and Clerk/ Treasurer Nanett Leine met with Abdo, Eick and Meyers, Certified Public Accountants & Consultants. This firm will audit the township books for 2003. The estimate for services was \$4,500.

D. Lakeville Annexation Update

On December 11, 2003, The Department of Administration has reviewed and accepted the resolution for orderly annexation. (*See attached resolution*)

A Motion by Supervisor Dan Rogers: To add the newsletter to the agenda. The motion was seconded by Supervisor Kenny Miller. Motion Carried.

New Business

A. Extension of Ordinance No. 33

The moratorium expires March 10, 2004.

A Motion by Supervisor Kenny Miller: To place a 6 month extension on Ordinance No. 33. The motion was seconded by Supervisor Connie Anderson. Motion Carried by unanimous vote.

B. Location for Annual Meeting

The 2003 Annual Meeting for Eureka Township will be held at Mount Olivet Retreat Center located at 7984 257th St. W. Farmington, MN. In the Trillium Room at 8:00 pm.

A Motion by Supervisor Mark Malecha: To add the annual meeting to the agenda. The motion was seconded by Supervisor Kenny Miller. Motion Carried.

C. Training- Legal Seminar, MAT

January 29-30, 2004 at Four Points by Sheraton, St Paul, MN.

D. Fax Machine, distinctive ring.

Clerk/ Treasurer Nanett Leine purchased a fax machine; distinctive ring is available from Frontier telephone. The fax machine recognizes the ring and will answer when a fax is being sent.

A Motion by Supervisor Connie Anderson: To pay for the fax machine and distinctive ring, to provide better service for the citizens. The motion was seconded by Supervisor Kenny Miller. Motion Carried.

E. Snow removal at the Town Hall

A Motion by Supervisor Kenny Miller: To hire a person to shovel the steps and handicap ramp at the Town Hall at Clerk/ Treasurer Nanett Leine discretion. The motion was seconded by Supervisor Kenny Miller. Motion Carried.

F. Imposing a Service Charge for Emergency Services

Clerk/ Treasurer Nanett Leine distributed a document from MAT on "Imposing Service Charges for Emergency Services". This item will be placed on the agenda for discussion at the February Town Board Meeting.

G. Newsletter

The newsletter will be placed on the Special Meeting agenda on January 20th, 2004. The draft will be available for review in the town hall prior to the meeting.

H. Annual Meeting

The starting time for the annual meeting should be put on the agenda for the annual meeting. The clerk needs to close the polls at 8:00 pm. The clerk needs to call the Annual Meeting to Order. The starting time of the meeting should be set later than 8:00pm.

The town board feels that a process should be put into place to ensure that those voting at the annual election are legal to vote. All citizens of the township will sign in, under oath that they are legal voters. They will receive a voting card.

A Motion by Supervisor Mark Malecha: The clerk chooses someone to take registrations according to State Statute to ensure that those who are legal to vote are allowed to vote. The motion was seconded by Supervisor Kenny Miller. Motion Carried.

Other Business

Clerk/Treasurer Presentation

See attachment for information sent to the Township.

Meetings

- 2-2- 2004 Public Hearing Conditional Use Permit- Airstrip, Butch and Mark Hansen. Approx. 7:30 pm, following Planning Commission Regular Meeting. If time permits Ordinance work will follow the public hearing.
- 2-17-2004 (Tuesday) Special Town Board Meeting: Eureka Town Board and Planning Commission- Ordinance work- 7:00 pm, Town Hall.
- 2-24-2004 Special Town Board Meeting- Prepare for Annual Meeting

A Motion by Supervisor Mark Malecha: To adjourn. The motion was seconded by Supervisor Dan Rogers. Motion Carried.

Meeting Adjourned at 9:57 pm.