

Eureka Township

Dakota County

State of Minnesota

Special Town Board Meeting
January 7, 2009

Call to Order

Chair Jeff Otto called the meeting to order at 7:00 pm. Members present were Supervisors Cory Behrendt, Brian Budenski, Jeff Otto and Dan Rogers. Planning Commission members present were Sharon Buckley, Nancy Sauber and Ken Olstad. Clerk/Treasurer Nanett Sandstrom, to record the minutes.

The meeting opened with the Pledge of Allegiance

Agenda

Discuss the Rural Collaborative Local Water Management Plan, the adoption and its implications in the Township.

Mark Zabel, Administrator VRWJPO and Travis Thiel, Watershed Specialist of the VRWJPO presented those attending the meeting a power point presentation on the Rural Collaborative Local Water Management Plan. The presentation covered the goals, objectives and actions in the plan.

The surface management part of the plan should be adopted into the Townships Comprehensive Plan. The Township is the land use authority. Some decisions are associated with land use decisions.

Metropolitan Surface Water Management Act, (1982 Law), current State Statute 103B. The authority comes down from the Board of Waters and Resources. It calls for all the watersheds in the 7 county metropolitan area to form a management organization. The current organization is the joint powers organization between Scott and Dakota County. The overall vision is that all the watersheds will form a water management organization and there are agreements between the communities on how the water is managed overall throughout the watershed. VRWJPO reports to BWSR, not the Met Council. BWSR has the oversight under 103B.

The Township's surface water management plan can include additional requirements beyond watersheds requirements, but must be at least compliant with the Watershed Management Plan. Eureka Township must be compliant with both the North Cannon and Vermillion River Watershed Plans. They can combine both together or have separate plans.

The Town Board expressed concerns that they were not given the opportunity for input on the plans content. Mark Zabel explained that the plan was actually developed and adopted in 2005. The Township Ordinance must be adopted prior to April 23, 2009. The Ordinance must incorporate all relevant Standards adopted by the VRWJPO. The Township needs to decide if they wish to retain permitting authority or turn it over to the County.

Items highlighted in blue in the presentation handout are items that the Township would be responsible for. *See attached document titled "VRWJPO & Eureka Township's Local Water Management Plan"*

If the Township wants to make substantial changes for the VRWJPO to consider they would need to go back through the approval process. The Collaborative plan has been approved by the joint powers Board. The changes would need to be made, submitted and go back through the approval process.

The Town Board's concern is if they adopt the language as it stands, is it going to cause you a problem if is interpreted as a direct implementation.

Supervisor Carrie Jennings commented that it sounds like it entails a lot of money and effort and authority that the Township does not exercise.

Supervisor Cory Behrendt commented that in reading and adopting the plan, it looks like a lot of funding and things that a Township, even by its own regulatory creation isn't intended to support or fund.

The Local Water Management Plan (required by BWSR) is a separate plan than Surface Water Management Plan required by the Met Council in the Comp Plan. They are separate but should be able to be joined and acted on under one process.

The Rural Collaborative Local Water Management Plan must to be adopted by the Township to meet VRWJPO requirements and a Water Resource Management Ordinance.

The VRWJPO will be asked through the Met Council, by the County to review and comment on the Township's Surface Water Management Plan.

Mark Zabel commented that the current plan lacks a Capital Improvement Plan. The funding comes from a special tax levy.

The transfer of permitting authority requires a compliant ordinance at the LGU. If there isn't a compliant ordinance at the LGU the permitting authority automatically goes to the VRWJPO. It is in the best interest of the VRWJPO to have the local unit that has land authority also be the permitting authority. When someone applies for a building permit where the land alteration is going to take place, the LGU can issue the permit. Even if the Township has the permitting authority on certain projects (large or complicated) the VRWJPO will review the project.

A motion by Supervisor Cory Behrendt: To adjourn. Motion seconded by Supervisor Dan Rogers.

Meeting adjourned at 9:36 pm.