

Eureka Township

Dakota County

State of Minnesota

Special Meeting
October 18, 2004

Chair Don Pflaum called the Special Meeting of the Eureka Town Board to order at 7:00 p.m.

Town board members present were Don Pflaum, Kenny Miller, Connie Anderson, Dan Rogers and Mark Malecha. Clerk/ Treasurer Nanett Leine to record minutes.

The meeting opened with the Pledge of Allegiance.

Agenda: Kadlec Split
Existing Non Conforming Use Permits
Ordinance work

Peter Tiede handed out draft copies of ordinances.

Kadlec Split-*(see 10/12/2004 Town board meeting minutes)*

Phillip Kadlec, representing Ray Kadlec presented additional information on the split. He stated that the property was originally purchased as two separate parcels, there were two separate deeds. Attorney Peter Tiede briefly looked over the documents; he was unable to determine if these documents showed the property as two separate conveyed parcels. Zoning ordinance No. 20 states "the dwelling shall be located on a separately conveyed parcel which shall equal or exceed 2 acres" Documents showing separately conveyed parcels need to be presented.

Existing Non Conforming Use Permits

The town board discussed the non conforming use permits issued under ordinance No. 32. Non conforming businesses issued permits under Ordinance No 32 are deemed a legal non conforming use in Eureka Township. Permit holders may keep their permits if they choose. The following business were issued non conforming use permits under Ordinance No. 32: Laverne's Pumping, Gary's Auto body (Petrash Race Enterprises), Big Twin Cycle, Eureka Sand and Gravel, Slug Master, MN Pro Paintball, Aqueduct Plumbing Co., Square Cut Corporation and Bill's Repair.

A motion by Supervisor Connie Anderson: To adopt a resolution for the legal non conforming use permits issued under ordinance 32 and we recognize those permits and they continue with their rights and to accept it as a registration form under 5.4 & 5.5 Legal Non Conforming Uses and Structures of Zoning Ordinance No. 20 adopted September 7, 2004.

Motion seconded by Supervisor Dan Rogers. Supervisor Kenny Motion carried. Miller abstained from voting, he is a permit holder. A letter will be sent to all permit holders stating that they are already registered.

Ordinance Work

Feedlot and Manure Handling

Supervisor Connie Anderson presented a draft ordinance relating to feedlots and manure handling. The town board reviewed the document. The following changes/ additions were made:

- Definitions: If term is defined in Minnesota Rule 7020- that definition should be used. (Pasture)
Confined/ pen- Non vegetative piece of ground. (Same definition.) – (not defined in 7020)
Pasture- vegetation growing.
- Add: or Applicable State Statute.
- Add: Applicable Shoreland Statute.

A motion by Supervisor Mark Malecha: To approve animal feedlots and manure handling with changes mentioned above. Motion seconded by Supervisor Kenny Miller. Motion Carried.

Wetlands- Stormwater and Erosion Control

Supervisor Connie Anderson will follow up on the draft of the wetlands ordinance provided by Brian Watson, Dakota County Soil and Water Conservation District.

Meetings

Next Ordinance meeting is scheduled for Monday, November 15, 2004.

Another Ordinance meeting was scheduled for Monday, November 22, 2004

Agenda for both meetings: Commercial Use

A motion by Supervisor Connie Anderson: To adjourn. Motion seconded by Supervisor Kenny Miller.

Meeting adjourned at 8:56 pm.