

***Eureka Township***  
*Dakota County*  
*State of Minnesota*

Eureka Townboard Meeting  
December 8, 2003

**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:**

Additions to agenda:

New Business

C. End of Year recaps

D. Budget Meeting Date

E. Road Meeting Date

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 Connie Anderson: To approve the Regular Townboard Minutes of November 10, 2003 as presented. Motion seconded by Supervisor Kenny Miller. Motion carried.

A motion by Supervisor Connie Anderson: To approve the Special Meeting Minutes of November 17, 2003 as presented. Motion seconded by Supervisor Kenny Miller. Motion carried.

**Treasurer's Report**

Treasurer Nanett Leine reported that there is \$780.13 in checking, \$125,964.76 in the savings account and \$119,033.20 in savings (Former CD). Federal Tax liabilities are \$544.82. Minnesota Tax Liabilities are \$27.00. Building Inspection State Surcharge liabilities are \$1261.95 and County Sewer Inspection liabilities are \$480.00.

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

**Bills**

The following bills needed to be reviewed before payment was made:

- The Local Government Alliance, lobbying services to reform annexation laws. The lobbying services are from September 30, 2003 through June 30, 2004.

A Motion by Supervisor Mark Malecha: To pass the resolution contracting for lobbying services to reform annexation laws. The motion was seconded by Supervisor Connie Anderson. Motion Carried. (*See resolution book, RESOLUTION NO. 30*)

- M & R Sign- There was a mix up in the order from M & R Sign. The order was placed through their online services, the system was not working correctly and part of the order was shipped twice and part of the order was not shipped. The Township received extra posts, nuts and bolts. We are short “no parking signs”, but received what we were billed for. We have the option of keeping the extra posts, nuts and bolts or returning them. They will waive the second shipping charge.

A Motion by Supervisor Mark Malecha: To keep the extra posts, nuts and bolts and pay only the first shipping charge. The motion was seconded by Supervisor Kenny Miller. Motion Carried.

- MATIT- Property and Liability Insurance has 2 options: Include full property coverage of \$27,500 or to carry liability Insurance only.

A Motion by Supervisor Kenny Miller: To include full property coverage. The motion was seconded by Supervisor Connie Anderson. Motion Carried.

The current property coverage insurance through Castle Rock Agency will be cancelled.

- Solberg Aggregate bill- There were incorrect invoice received last month from Solberg Aggregate. When corrected invoices were sent this month, there were still discrepancies in one of the invoices. 3 tickets were billed on the wrong invoice, thus the township was billed twice for these invoices. Also the Limestone on 225<sup>th</sup> did not meet specifications and a discount to the product should be applied.

A Motion by Supervisor Kenny Miller: To pay invoice # 040206 less the overcharge of \$458.98 and to pay at 5% deduction for 225th Street project. To pay the November bills totaling \$59,877.18. The motion was seconded by Supervisor Dan Rogers. Motion Carried.

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

BeSure Inspection Services	Building & Septic permits	\$3,022.04
Braun Turf Farms	Road Maintenance	\$5,704.50
Dakota Electric	Electric Bill	\$8.73
Frontier Communications	Telephone- town hall & Internet	\$77.70
Frontier Communications	Telephone- office	\$42.10
Murnane, Conlin, White & Brandt	Attorney Fees	\$1,567.46
Nanett Leine	Payroll 11/1/03 to 11/30/03	\$1,603.44
Nanett Leine	Expenses 11/1/03 to 11/30/03	\$453.39

PERA	Payroll 11/1/2003 to 11/30/03	\$199.57
Local Government Alliance	Lobbying Services	\$745.00
ECM Publishers, Inc.	Legal Ad- COMP PLAN	\$59.38
River Town Newspaper Group	Legal Ad- COMP PLAN	\$40.50
MAT Agency	PAL Package, Insurance Premium	\$708.00
M-R Sign Co., Inc.	No parking signs, posts, nuts & bolts	\$779.70
MAT Agency	Worker's Compensation Insurance Renewal	\$326.00
Minnesota Assoc. of Townships	MAT Annual Conference registration	\$100.00
Instant Testing	Testing road gravel	\$380.00
Jody Arman Jones	re-imbursement from Envisioning Open House	\$26.24
Mike Greco	Re-imbursement Envisioning Open House	\$394.28
CURA	Reimbursement for Envisioning Open house	\$137.36
Connie Anderson	Supervisor Payroll 6/1/03 to 11/30/03	\$840.38
Connie Anderson	Expenses 6/1/03 to 11/30/03	\$44.52
Cory Behrendt	Planning Commission Payroll 12/1/02 to 11/1/03	\$517.16
Cory Behrendt	Expenses 12/1/02 to 11/30/03	\$38.64
Mark Malecha	Supervisor Payroll 6/1/03 to 11/30/03	\$517.16
Francie Madden	Planning Commission Payroll 12/1/02 to 11/30/03	\$581.80
Francie Madden	Expenses 12/30/02 to 11/30/03	\$74.52
Kenneth Miller	Supervisor Payroll 6/1/03 to 11/30/03	\$711.09
Clark Smith	Supervisor Payroll 12/1/03 to 3/31/03	\$535.63
Dan Rogers	Supervisor Payroll 4/1/03 to 11/30/03	\$831.15
Cheryl Monson	Planning Commission Payroll 5/1/03 to 11/30/03	\$304.75
Cheryl Monson	Expenses	\$3.28
Calvin Pflaum	Planning Commission 12-1-02 to 11-30-03	\$637.21
Calvin Pflaum	expenses	\$66.48
Don Pflaum	Supervisor Payroll 12/1/03 to 11/30/03	\$1,593.04
Don Pflaum	Expenses	\$81.42
Solberg Aggregate		\$36,123.56
	<b>Total Bills</b>	<b>\$59,877.18</b>

### ***Approval of November receipts***

The following receipts were presented to the Town Board in October:

• <b><u>Septic Permits</u></b>			
Paul Ryan	\$280.00		
• <b><u>Building Permits</u></b>			
Brian McGregor- <i>addition</i>	\$2,753.82	Bill Schweich- <i>addition</i>	\$1,644.09
• <b><u>Other Permits</u></b>			
Bill Schweich - <i>driveway</i>	\$50.00	Carolyn House (HVAC)	\$60.00
• <b><u>Application Fees</u></b>			
Brian McGregor	\$25.00	Bill Schweich	\$25.00
• <b><u>Other Receipts</u></b>			
Corey Behrendt- <i>RASP Sign</i>	\$11.64	Inspectron Inc.- <i>copies of minutes</i>	\$40.30
Carrie Jennings- <i>RASP Sign</i>	\$11.64		
<b>Total Receipts in November</b>			<b>\$4,901.49</b>

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

A Motion by Supervisor Mark Malecha: To add State Representative Steve Strachan to the agenda. The motion was seconded by Supervisor Connie Anderson. Motion Carried.

### ***State Representative Steve Strachan***

He reported on some legislature issues, including Ag. Preserve, aggregate tax and the annexation bill, which he is cosponsoring. He addressed questions from the audience and the town board.

### **Contractor time**

A Motion by Supervisor Mark Malecha to move Old Business: E. Snow policy up to contractor time. The motion was seconded by Supervisor Dan Rogers. Motion Carried. This resolution was adopted at the November Town board meeting. Supervisor Mark Malecha, Supervisor Dan Rogers and Clerk/ Treasurer Nanett Leine still need to put together the attachments to the resolution. This item will remain on the agenda.

### ***Roads***

Supervisor Dan Rogers reported that the snowplowing for the first snow fall reflected extra hours, because the roads were not setup. The road grader operator needed to drive slower to avoid cutting into the gravel. The township received a call on Granada Ave, due to icy conditions. Supervisor Kenny Miller explained to the road contractor that the hill needs to be cut to the gravel. Roads need to be sanded, not salted at intersections and where the dust coating had been applied.

## **Planning Commission Land use permits and Related Items:**

### *Planning Commission Meeting*

1. Cross Nursery- located on Highview Ave. in Section 5 (Property ID#13 00500 016 75) presented the town board with plans to expand their growing range on Highview Ave. They are planning on moving the offices now located in Lakeville to the growing range located in Eureka Township. The Town Board saw no problems with the proposed project. Cross Nursery needs to apply for the building permits when they are ready to move ahead with their project. A NPDES general Storm-water permit for construction activity will need to be taken out since they plan to disturb more than 1 acre.

2. Mark Geier- 25445 Ipava Ave W Lakeville requested a permit for a pole building 40' x 32' this building will be used for horses and personal storage. A Motion by Supervisor Mark Malecha: To approve the permit as presented. The motion was seconded by Supervisor Connie Anderson. Motion Carried. **Permit # 03-027** **Fee \$470.66**

### *Lot Splits*

Don and Alice Storlie requested a lot split in Section 14 Township 113 Range 20. Parcel B: (1 acre) N 565 FT of the W 270 FT of the NW 1/4 of the SW 1/4 to be split from Parcel A: (Parcel ID #13-01400-020-51) W 1/2 of SW 1/4 EX N 436 FT OF W 250 FT.

A motion by Supervisor Kenny Miller: to approve the lot split. Motion seconded by Supervisor Mark Malecha. Motion carried.

### *Conditional Use Permits*

#### *Wat Lao of Minnesota*

The Wat Lao CUP is scheduled for review in December. Rick Siri-outhay a representative from Wat Lao presented the town board with the coming year's plans. They would like to tear down the existing temple and build a new larger structure. This year's celebrations will be on April 17 and June 19- 20, 2004.

A Motion by Supervisor Mark Malecha: to approve the renewal of the Conditional Use Permit for Wat Lao of Minnesota. The motion was seconded by Supervisor Dan Rogers. Motion Carried.

#### *John Curry- Airstrip*

Mr. Curry requested renewal of his airstrip located on Highview Ave. in the NE 1/4 of Section 8. A Motion by Supervisor Kenny Miller: To renew Mr. Curry's airstrip. The motion was seconded by Supervisor Dan Rogers. Motion Carried.

#### *Digital Teleport*

Digital Teleport Inc. Conditional Use Permit for the optic regeneration Station located: South of 240<sup>th</sup> St. between Cedar Ave and Highview Ave. located in the NW corner of the E 1/2 of NW 1/4 of Section 16 expired November 2003 they have not asked to renew the permit.

A Motion by Supervisor Kenny Miller: To send a letter informing Digital Teleport that the Conditional Use Permit needs to be renewed. The motion was seconded by Supervisor Connie Anderson. Motion Carried.

*Other Business- Planning Commission  
Comprehensive Plan*

The Town Board reviewed the minutes from the Public Hearing on the COMP Plan. Discussion on approving the COMP Plan followed.

A Motion by Supervisor Mark Malecha: To approve the COMP Plan. The motion was seconded by Supervisor Kenny Miller. Motion Carried by unanimous vote.

The building Inspector asked that item 2. Adopt the New Minnesota State Building Codes - and item 4. Citizen's complaint, to be moved to the January Town Board meeting.

*Jonathon Hoes*

Mr. Hoes has not contacted the Building Inspector for an inspection of his property. The Town board asked Clerk/ Treasurer Nanett Leine to contact the Building Inspector and instruct him to contact Mr. Hoes for an inspection before the end of the year. If an inspection cannot be completed before the end of the year Mr. Hoes needs to contact the Town board with a reason.

**Roads**

*Update Denmark Ave. near school*

Gopher One has marked one side of the roadway; they need to mark the other side, before the signs can be installed. This should be completed this week.

*265<sup>th</sup> St bridge update*

Supervisor Mark Malecha and Supervisor Dan Rogers met with the adjacent property owners and the County. There were concerns on the impact of pylon pounding to nearby structures.

A Motion by Supervisor Connie Anderson: To open the next item on the agenda, "*Cooperative Agreement for the Railroad*" for discussion. The motion was seconded by Supervisor Mark Malecha. Motion Carried.

The Town Board will instruct their attorney to negotiate as part of the contract any problems that may result from bridge construction.

The Township attorney feels that there are issues that need to be addressed in the proposed contract related to insurance issues. Supervisor Don Pflaum will continue working with the Township attorney and the County on these issues.

**Old Business**

*A. Envisioning Open House*

Mike Greco presented the Town Board with a report on the open house. There were approximately 90 people present. The surveys were left with the Clerk and are available for review by the town board. The Town board thanked the Envisioning Committee for all of their work and commitment. The Town Board requested a copy of the audit and application. Clerk/ Treasurer Nanett Leine will contact 1000 friends of Minnesota and obtain a copy of these documents.

*B. Town Hall Update.*

The Title Company should have the paperwork done this week. This item will be added to the agenda of the Special meeting on December 15, 2003. The paperwork should be signed by the Larson family before the next Town Board meeting. Supervisor Kenny Miller will begin moving forward on building plan proposals.

*C. Report on Annual Meeting and Conference in Duluth*

Clerk/ Treasurer Nanett Leine reported on the Conference in Duluth. Training highlights are listed in the Clerk/ treasurer presentation. Training materials were brought back from the conference for the Town Board.

*D. Weed Management Plan*

Supervisor Mark Malecha presented the Townboard with a weed management plan. Mark has been in contact with the County Extension Service. There is no money in the State for noxious weed control. The money has been cut from the County's budget. Noxious weed control is the Townships responsibility.

A Motion by Supervisor Kenny Miller: To adopt the noxious weed program. The motion was seconded by Supervisor Connie Anderson. After discussion the following friendly amendment was added and accepted by Supervisor Kenny Miller and Supervisor Connie Anderson:

- To add: That noxious weeds can be mowed at any time.
- Change: "Mow a 21 foot swath" to: "road right of way".
- The following County prohibited weeds need to be added to the noxious weed list: Cockle Bur, Wild Sunflower and Velvet leaf.
- To attach the "*Local Weed Inspector's Guide for Noxious Weed Law Enforcement*"
- State: "plus all applicable Minnesota Statutes."

The amendment was voted on and carried. The motion was voted on and carried.

**New Business**

*A. Audit*

The Township books need to be audited, due to the combined Clerk/ Treasurer position. A Motion by Supervisor Connie Anderson: Supervisor Kenny Miller will check on Audit firms and report back at the January Town Board Meeting. The motion was seconded by Supervisor Mark Malecha. Motion Carried.

*B. Designate location for absentee voting*

A Motion by Supervisor Mark Malecha: To designate the Clerk/ Treasurer Nanett Leine residence located at 24797 Highview Ave, Lakeville, MN as the location for absentee voting. The motion was seconded by Supervisor Dan Rogers. Motion Carried.

*C. End of Year Recap*

Supervisor Kenny Miller requested that the Supervisors present a written end of the year recap on supervisor assignments for the year, including monies spent and actions taken. Supervisors should have these ready for the preparation meeting for the annual meeting.

*D. Budget Meeting Date*

Tuesday January 6, 2004 at 7:00 pm at the Eureka Town Hall located at 25140 Cedar Ave, Farmington.

*E. Road Meeting Date*

Tuesday January 13, 2004 at 7:00 pm at the Eureka Town Hall located at 25140 Cedar Ave, Farmington.

**Other Business**

*Clerk/Treasurer Presentation*

See attachment for information sent to the Township.

Lakeville's Annexation of Airport Property: The Township received a letter indicating that page 2 of the signed annexation has been changed. A sentence has been added. Supervisor Don Pflaum will check with the township attorney to make sure the changes are appropriate.

Scott County Planners sent maps of the Southeast Scott County Comprehensive Plan Update. They were distributed to the Town Board. Supervisor Don Pflaum will talk to the Met Council regarding Scott County's proposals.

A Motion by Supervisor Kenny Miller: To adjourn. The motion was seconded by Supervisor Mark Malecha. Motion Carried.

Meeting Adjourned at 9:24 pm.